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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 19

3 1223 04245 8100

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 6, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Kaufman, Kennedy, Leal, Shelley, Yaki - 6.

Noted absent at first roll call:

Supervisors Alioto, Bierman, Hsieh, Teng - 4.

Quorum present.

Supervisor Alioto was noted present at 2:09 p.m.

Supervisor Bierman was noted present at 2:10 p.m.

Supervisor Hsieh was noted present at 2:09 p.m.

Supervisor Teng was noted present at 2:08 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, April 15, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Bierman - 1.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Yaki requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Government Efficiency and Labor Committee

Consideration Continued

[Lease Modification, Port/Franciscan Restaurant]
Ordinance approving third amendment to lease of real property between the Franciscan Restaurant and the City and County operating by and through the Port Commission for restaurant and retail uses at Pier 43-1/2, Fishermans' Wharf. (Port)

File 65-96-7, Ordinance No.

Supervisor Yaki, seconded by Supervisor Ammiano, moved to continue consideration to May 13, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Works]
Ordinance appropriating $5,687,710, Department of Public Works, of 1996A City Hall Improvement Bond Fund proceeds for design and construction of non-seismic improvements at City Hall, for bond issuance costs for the offices of the Chief Administrative Officer, Controller and the City Attorney and for repayment of the General Fund advance for fiscal year 1995-96. (Controller)

File 101-95-71.1, Ordinance No. 179-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Public Utilities Commission-Hetch Hetchy]
Ordinance appropriating and rescinding $77,002, Public Utilities Commission-Hetch Hetchy, of Hetch Hetchy Operating Funds, to create and delete six (6) positions for fiscal year 1995-96. (Controller)

File 101-95-72, Ordinance No. 180-96

Finally passed.

[Salary Ordinance Amendment]
Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) Public Utilities, Hetch Hetchy project, reflecting the creation of six (6) positions; companion measure to File 101-95-72. (Department of Human Resources)

File 102-95-18, Ordinance No. 183-96

Finally passed.

[Appropriation, Chief Administrative Officer]
Ordinance appropriating $275,500, Chief Administrative Officer, of Redevelopment Agency revenue for salaries, professional services, and services of other departments to allow the CAO's office to assist the Redevelopment Agency with urban design guidelines for the Mid-Embarcadero Roadway replacement and open space projects for fiscal year 1995-96. (Controller)

File 101-95-73, Ordinance No. 181-96

Finally passed.

[Appropriation, 911 CAD Interim System]
Ordinance appropriating $5,337,594, Police Department, for purchase and installation of an interim Computer Aided Dispatch (CAD/911) System including professional services, services of other departments and overtime; funded from the General Fund Reserve (established from the 1994-95 one time accounting adjustment); providing for ratification of action previously taken. (Supervisors Shelley, Kennedy)

File 101-95-74, Ordinance No. 182-96

Finally passed.

[New Jobs Tax Credit Extension]
Ordinance amending Part III, Municipal Code, extending the expiration date of the New Jobs Tax Credit to December 31, 2002. (Supervisors Kaufman, Leal, Hsieh, Bierman, Teng)

File 127-96-2, Ordinance No. 188-96

(Amends Section 906B.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[CCSF v. Glimidakis, et al.]
Ordinance authorizing settlement of the litigation of City and County v. Vasilios and Christine Glimidakis, et al., of Forty Thousand Dollars ($40,000). (City Attorney)

File 46-96-6, Ordinance No. 184-96

(Superior Court No. 963-377)

Finally passed.

[Public Notices, Plain]
Ordinance amending Administrative Code, to require that items on agendas of meetings of policy bodies of the City and County should be written in plain English and to require that public notices mailed by city departments, boards, agencies and commissions to residents be written in plain English and advise the public how they may submit written comments to city officials regarding the subject of public meetings and hearings. (Supervisors Kaufman, Teng, Bierman, Shelley)

File 97-96-14.1, Ordinance No. 185-96

(Amends Section 67.7;
Adds Section 67.7-1.)

Finally passed.

[Hold Harmless Agreement with Caltrans]
Ordinance amending Administrative Code, regarding hold harmless agreements with various city departments and to California Department of Transportation (Caltrans) for the purpose of obtaining encroachment permits from the State. (Department of Public Works)

File 97-96-15, Ordinance No. 186-96

(Adds Section 1.49.)

Finally passed.

[Muni Railway Regional Trip Planning Agreement]
Ordinance approving a contract between the City, through its Municipal Railway, and three Bay Area transit agencies, to provide regional database for route, schedule and fare information so that passengers can plan regional trips. (Public Transportation Commission)

File 172-96-7, Ordinance No. 189-96

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Special Truck Loading Zones and Yellow Zones]
Ordinance amending Traffic Code, regarding the designation of special truck loading zones and yellow zones. (Department of Parking and Traffic)

File 124-96-4, Ordinance No. 187-96

(Amends Sections 33.3, 38.B, and 38.B.1.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Housing and Land Use Committee

Adopted

[Liquor License Transfer, 3165 Steiner Street]
Resolution determining that the transfer of a Type 21 off-sale general alcohol beverage control license for Basher A. El-Yousef for Hollow Cow Market and Delicatessen, from 2100 Chestnut Street to 3165 Steiner Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with condition. (Housing and Land Use Committee)

File 223-96-13, Resolution No. 387-96

(April 29, 1996 - Consideration continued to May 6, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Noes: Supervisor Kennedy - 1.

NEW BUSINESS

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]
Hearing appealing decision of City Planning Commission by its Motions 14067, 14068, 14069, 14070 and 14072 approving Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C to install wireless transmission facilities on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive.

File 37-96-1

(Appeal filed April 8, 1996.)

(Categorically exempt from environmental review process pursuant to Title 14 of the California Administrative Code.)

(Both the appellant and project representative have requested a continuance of the public hearing to June 3, 1996.)

Supervisor Hsieh Excused from Voting

On advice of the City Attorney, Supervisor Hsieh requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Leal, seconded by Supervisor Kaufman, moved to excuse Supervisor Hsieh from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Ammiano - 1.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to June 3, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Ammiano - 1.

(Only one of the following two Motions should be adopted.)

[Appeal, Wireless Transmission Facilities]
Motion approving decision of the City Planning Commission by its Motions 14067, 14068, 14069, 14070 and 14072 approving Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C, on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive. (Clerk of the Board)

File 37-96-1.1

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to June 3, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Ammiano - 1.

[Appeal, Wireless Transmission Facilities]
Motion disapproving decision of the City Planning Commission by its Motions 14067, 14068, 14069, 14070 and 14072 approving Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C, on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive. (Clerk of the Board)

File 37-96-1.2

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to June 3, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Ammiano - 1.

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C, on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive, for action by the Board at its next meeting. (Clerk of the Board)

File 37-96-1.3

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to June 3, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Ammiano - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to proposed schedules of sewer service charges to be paid by users for fiscal year 1996-97 pursuant to Articles 4.1 and 4.2 of the Public Works Code; providing for severability clause.

File 21-96-1

(Filed April 15, 1996.)

(Exempt from Environmental Review.)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

Consideration Continued as Amended

[Sewer Service Charges, 1996-97]
Resolution adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1996-97 pursuant to Articles 4.1 and 4.2 of the Public Works Code; providing for severability clause. (Chief Administrative Officer)

File 21-96-1, Resolution No. 406-96

Supervisor Shelley, seconded by Supervisor Alioto, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Supervisor Kaufman, seconded by Supervisor Teng, moved to continue consideration as amended to May 13, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

The President resumed the Chair.

COMMITTEE REPORT

Recommendation of Housing and Land Use Committee

Adopted

[Interim Zoning Controls, Union Square Signs]
Resolution extending for an additional twelve months Interim Zoning Controls prohibiting the approval of general advertising signs within 200 feet of the park known as Union Square and facing said park but allowing replacement signs and deleting the special exceptions from the roof sign and height limitations for general advertising signs within 200 feet of Union Square. (Supervisors Bierman, Alioto)

File 111-95-1.1, Resolution No. 373-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Vaughey, soccer fields;
John Hackett, transgender community;
James McAree, Jones Memorial United Methodist Church;
Pat Herber, submitted written information concerning antennas;
Charles Amoson, Hayes Valley;
Wendy Lauren, Police Department problems;
Rodney Talmadge, alcohol use at Candlestick;
Eugenia Goods, parking tickets.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote

is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commending Joanne Hayes-White, Lorrie Kalos]
Resolution commending Joanne Hayes-White and Lorrie Kalos, the first two women captains of the San Francisco Fire Department and the San Francisco Fire Department. (Supervisors Teng, Bierman, Shelley, Kaufman, Yaki, Hsieh, Leal)

File 6-96-59, Resolution No. 375-96

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Yaki, Hsieh, Leal requested to be added as co-sponsors.

[Angel Island State Park]
Resolution supporting the use of East Garrison Docking Facility, Angel Island State Park, by Golden Gate Ferries. (Supervisor Kennedy Bierman, Leal, Teng)

File 12-96-24, Resolution No. 380-96

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Teng requested to be added as co-sponsors.

[Expansion of Point Reyes National Seashore]
Resolution supporting legislation endorsed by President Clinton to preserve and expand Point Reyes National Seashore and urging the United States House of Representatives and United States Senate to support such legislation. (Supervisors Kaufman, Bierman, Teng)

File 13-96-16, Resolution No. 381-96

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Supporting Brooke Amendment]
Resolution supporting the continuation of the principals of the Brooke Amendment (public housing tenants' rents) and opposing any congressional attempts at its repeal. (Supervisors Shelley, Yaki, Bierman, Teng)

File 13-96-17, Resolution No. 382-96

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Bierman, Teng requested to be added as co-sponsors.

Passport Applications]
Resolution authorizing the County Clerk-Recorder to accept passport applications pursuant to a designation of authority from the United States Department of State. (Supervisors Yaki, Hsieh, Leal, Teng)

File 13-96-18, Resolution No. 383-96

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

In connection with the above item, Supervisors Hsieh, Leal, Teng requested to be added as co-sponsors.

[Golden Gate National Recreation Area]
Resolution urging the Golden Gate National Recreation Area to rent/lease the Presidio Chapel or a comparable building to be used for approximately two years by the Jones Memorial United Methodist Church for the purpose of holding Sunday services and related meetings. (Supervisors Kennedy, Teng)

File 13-96-19, Resolution No. 384-96

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[City Hall Security Devices]
Resolution urging the Chief Administrative Officer to request supplemental appropriation of sufficient funds to reinstate City Hall security devices. (Supervisors Ammiano, Teng)

File 186-96-2, Resolution No. 385-96

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Retirement Board Divestment-Tobacco Companies]
Resolution urging the Retirement Board to divest holdings in securities of publicly traded companies that derive revenue from the sale of tobacco products and further urging the California State Legislature to pass legislation barring state and municipal pension funds from holding tobacco stocks. (Supervisors Alioto, Ammiano, Yaki, Bierman, Kennedy, Leal, Hsieh, Kaufman, Teng, Shelley)

File 210-96-1, Resolution No. 386-96

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Local Emergency, Needle Exchange Program]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman)

File 30-96-1.8

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Final Map]
Motion approving final map of 50, 52, 54, 56, 58, 60, 62 and 64 Guy Place, a Condominium Project, being a resubdivision of Lot 55 in Assessor's Block 3749, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-10

(April 29, 1996 - Introduced in Board for consideration on May 6, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-19, Resolution No. 374-96

(Willie L. Brown, Jr., Mayor, Office of the Mayor, May 4 - 5; Tom Hsieh, member, Board of Supervisors, May 20 - 26; Mabel Teng, member, Board of Supervisors, May 29 - June 4 and June 18 - 25; Philip Adams, Director, Department of Public Transportation, May 4 - 9; Dennis P. Bouey, Executive Director, Port of San Francisco, May 20 - 24; Cynthia Gissler, Commissioner, Commission on the Status of Women, April 24 - May 1; Fred H. Lau, Chief, Police Department, April 26 - 30; John L. Martin, Director, International Airport, April 19 - 24; Peter Mezey, Commissioner, Parking and Traffic Commission, May 28 - June 24; Harry S. Parker III, Director, Fine Arts Museums, May 15 - 17; Wendell L. Pryor, Director, Department of Human Resources, April 24 - 26; Louise H. Renne, City Attorney, Office of City Attorney, April 19 - 26; Arlene M. Sauser, Chief, Adult Probation Department, May 13 - 16, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Imperative Resolutions]

Adopted

[Commending Edward J. Sharkey]
Resolution commending Edward J. Sharkey on the occasion of his 100th Birthday on May 18, 1996, and for his service to San Francisco and its War Memorial and Veterans.

File 006-96-063, Resolution No. 376-96

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Fred and Ernestine Campagnoli Day]
Resolution commending Fred and Ernestine Campagnoli for their years of dedication to the City of San Francisco and declaring May 11, 1996 as Fred and Ernestine Campagnoli Day in San Francisco.

File 006-96-064, Resolution No. 377-96

Supervisors Shelley, Alioto, Teng, Leal, Kaufman, Yaki, Hsieh presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Commending Irene Yee Riley]
Resolution commending Irene Yee Riley's promotion to District Manager of the Bank of America.

File 006-96-065, Resolution No. 378-96

Supervisors Teng, Hsieh, Kaufman, Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Commending Bruce Kapsack, Esq.]
Resolution commending Bruce Kapsack, Esq. for his exemplary conduct and dedicated public service while serving as staff attorney for the Office of Citizen Complaints.

File 006-96-066, Resolution No. 379-96

Supervisors Ammiano, Kennedy, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Portsmouth Square Parking Garage]
Ordinance approving a second amendment to the Portsmouth Square Public Parking Lease between the City and County of San Francisco and the San Francisco Portsmouth Plaza Parking Corporation, which provides for quarterly rather than annual payments of rent, and strengthens the City's termination rights under the lease. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 047-96-003.

[Use of Surplus Campaign Funds]
Ordinance amending Administrative Code, by amending Section 16.510 to provide that individuals who cease to be a candidate for local office, or who fail to qualify as a candidate for local office, and

who have unexpended campaign funds, may donate the unexpended funds to the General Fund of the City and County of San Francisco. Supervisor Shelley presented. Referred to Rules Committee.

File 097-96-029.

[Bayview Senior Housing Project]
Ordinance amending City Planning Code by adding Section 263.XX to create special exceptions in the 40-65-J Special Height and Bulk District. Supervisor Kennedy presented. Referred to Housing and Land Use Committee.

File 115-96-005.

Referred to Board

[Commending Citizen Volunteers]
Resolution commending citizens who volunteer their time for the benefit of the City of San Francisco, noting that their contributions are greatly valued and encouraging the people and governmental agencies of San Francisco to join in, celebrate and support their efforts to continue to improve the quality of life for all San Franciscans. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 13, 1996.

File 006-96-067.

[Commending Geo/Resource Consultants, Inc.]
Resolution commending Geo/Resource Consultants, Inc., on their 20th Anniversary. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 13, 1996.

File 006-96-068.

[Market Heights Affordable Housing]
Resolution commending the Bernal Heights Housing Corporation for building Market Heights and welcoming its first residents. Supervisors Shelley, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 13, 1996.

File 006-96-069.

[Asian American Day in the Park]
Resolution commending Asian American Day in the Park, Jest Jammin's 25th Anniversary and Norman Fong. Supervisors Teng, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 13, 1996.

File 006-96-070.

Referred to Committee

[Opposing Senate Bill 1695]
Resolution opposing Senate Bill 1695, Family Day Care Bill, to be heard on May 8, 1996 in the Senate Health and Human Services Committee. Supervisor Teng presented. Referred to Government Efficiency/Labor Committee.

File 012-96-025.

Referred to Board

[Stop Intersection, 30th Avenue/Clement Street]
Resolution designating 30th Avenue and Clement Street as an All-Way "Stop" intersection. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 13, 1996.

File 018-96-007.

Referred to Committee

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of the City and County of San Francisco against the Portsmouth Plaza Parking Corporation in the amount of $544,476. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 049-96-001.

Referred to Board

[Federal Grant-Enterprise Community Program]
Resolution authorizing the Mayor to accept and expend Social Services Block Grant (SSBG) Funds in a total amount not to exceed $2,947,368 from the California Department of Social Services for the U.S. Department of Housing and Urban Development-Administered Empowerment Zone/Enterprise Community Program. Supervisors Leal, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 13, 1996.

File 068-96-004.

[Elections Task Force]
Resolution urging the Mayor and the Registrar of Voters to appoint members to any vacant positions on the Elections Task Force created by voter approved Proposition L and urging the Mayor to provide supplemental appropriation of funds needed to complete its work. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 13, 1996.

File 092-96-024.

Referred to Committee

[Domestic Partners]
Resolution urging the Chief Administrative Officer and the City Attorney to submit to the Board of Supervisors legislation amending the Administrative Code to provide domestic partners the right to control the disposition of a decedent's partner's bodily remains, and to so reflect said right on the form entitled "Affidavit in Support of Claim to Control Disposition of Bodily Remains pursuant to Health and Safety Code Section 7100". Supervisors Ammiano, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 097-96-030.

[Federal Grant-Asian American Arts Initiative]
Resolution authorizing the San Francisco Art Commission to apply for retroactively, accept, and expend $86,100 of National Endowment for the Arts Planning & Stabilization Grant funds to support an Asian American Arts Community Development Initiative in defining and developing the appropriate structure for facilitating more efficient resource acquisition and management, more effective audience development and productive collaborations, and better support for arts groups and artists rooted in, or growing out of San Francisco's Asian American population, waiving 2% associated indirect costs. Supervisor Teng presented. Referred to Government Efficiency/Labor Committee.

File 132-96-001.

[Federal Grant]
Resolution authorizing retroactively the Department of Public Works to apply for, accept and expend $450,000 in Federal Funds for the Mission Street Lighting Project and waiving indirect costs. Supervisors Leal, Kaufman, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 148-96-003.

[Empowerment Zone]
Resolution urging the U.S. Housing and Urban Development Department to revise the regulations to allow the City and County of San Francisco to be considered for full Empowerment Zone status for all six neighborhoods or to include Chinatown and the Tenderloin as an Enterprise Community Area and to receive the benefits associated with that designation, including grant funds and access to facility bonds. Supervisors Teng, Bierman, Shelley presented. Referred to Government Efficiency/Labor Committee.

File 161-96-002.

[Affinity Phone Card Program]
Resolution authorizing the Chief Administrative Officer to enter into an operating and licensing agreement with Winston Taylor for the development and operation of the San Francisco Affinity Phone Card Program and implementation thereunder. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee with request it be considered on May 14, 1996.

File 186-96-003.

[Joint Working Group-Parking System]
Resolution urging the Department of Parking and Traffic and the San Francisco Unified School District to create a joint working group to propose a parking system at school sites that resolves problems experienced by teachers and staff. Supervisor Ammiano presented. Referred to Housing and Land Use Committee.

File 190-96-003.

[ABAG Finance Authority Membership]
Resolution approving, authorizing and directing the execution and delivery of a joint exercise of powers agreement relating to the ABAG Finance Authority for Nonprofit Corporations, acknowledging and approving the by-laws thereof (including an indemnity contained therein), appointing a representative to the governing board thereof, authorizing the Board of Supervisors or the Mayor's Office to hold public hearings required by Section 147(f) of the Internal Revenue Code of 1986 in connection with projects to be located within the city and financed by the ABAG Finance Authority for Nonprofit Corporations, and designating either the Board of Supervisors or the Mayor as the applicable elected representative for purposes of Section 147(f) of the Internal Revenue Code of 1986. Supervisor Kaufman presented. Referred to Budget Committee with request it be considered on May 15, 1996.

File 241-96-001.

[Final Negative Declaration]
Resolution adopting final negative declaration, finding and determining that a reclassification from a P (Public) to an NC-3 (Moderate-Scale Neighborhood Commercial) District, conversion of a vacant, approximately 185,000 gross square foot office building to a school for students from pre-kindergarten through twelfth grade (National Center For International Schools), demolition of existing structures and construction of a gymnasium, and provision of parking for 115 automobiles for the property located at 129 and 150 Oak Street and 289 Fell Street, Assessor's Block 833, Lots 3 and 15 and Assessor's Block 837, Lots 18, 19 and 20, will have no significant impact on the environment, and adopting and incorporating findings of final negative declaration. Supervisor Kaufman presented. Referred to Budget Committee with request it be considered on May 15, 1996.

File 241-96-002.

[TEFRA and NCIS Project Approval]
Resolution approving the execution and delivery of not to exceed $22 million aggregate principal amount of Certificates of Participation for the financing of the National Center for International Schools Project. Supervisor Kaufman presented. Referred to Budget Committee with request it be considered on May 15, 1996.

File 241-96-003.

[Redevelopment Survey Area, North of Market]
Resolution designating and describing a survey area within the City and County of San Francisco pursuant to the California Community Redevelopment Law. Supervisor Bierman presented. Referred to Housing and Land Use Committee with request it be considered on May 16, 1996.

File 247-96-001.

Requests for Hearings:

[Accepting Waterville Street]
Hearing to consider accepting Waterville Street as an accepted street in the City and County of San Francisco. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered on May 14, 1996.

File 009-96-001.

[Aging Campus]
Hearing to consider the development of a senior citizens' residential community to be called the "Aging Campus" modeled as a self-contained, self-sufficient, secured complex. Supervisor Kennedy presented. Referred to Housing and Land Use Committee.

File 217-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-96-006. [Airport Lease Modification, Bank of America] Ordinance approving Modification of Lease for Bank of America NT & SA Financial Services Lease between Bank of America NT & SA and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 034-96-002. [Sidewalk Width Regulations, Bryant/Ninth/Brannan] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1522 changing the official sidewalk widths on the southeasterly side of Bryant Street between Ninth Street and 275' northeasterly

of Ninth Street, on the northeasterly side of Ninth Street between Bryant Street and Brannan Street, and on the northwesterly side of Brannan Street between Ninth Street and 275' northeasterly of Ninth Street, as shown on the Department of Public Works drawing labeled Q-20-418 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 045-96-027. [Barnes Construction Co., Inc. v. CCSF et al.] Ordinance authorizing settlement of litigation of Barnes Construction Co., Inc. against the City and County of San Francisco by payment of $15,000. (Superior Court No. 968-676). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-028. [Joseph Nugent/Catherine Schoop v. CCSF et al.] Ordinance authorizing settlement of litigation of Joseph Nugent and Catherine Schoop against the City and County of San Francisco by payment of $13,888.85. (Municipal Court No. 118698). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-029. [Morley Shapiro v. CCSF, et al.] Ordinance authorizing settlement of litigation of Morley Shapiro against the City and County of San Francisco by payment of $40,000. (Superior Court No. 958-035). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-96-008. [CCSF v. AVP Investments, et al.] Ordinance authorizing settlement of litigation of City and County of San Francisco v. AVP Investments, et al. and the City's purchase of Assessor's Block 2336, Lot 27, for open space for $2,340,000. (Superior Court Action No. 963-267). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 097-96-028. [Parking Authority] Ordinance amending Administrative Code by repealing Sections 17.2-1, 17.2-2, 17.3, 17.4, 17.5, 17.9, 17.10, 17.14, 17.15, 17.19 ,and 17.22 thereof, which set forth certain powers and responsibilities of the San Francisco Parking Authority that are no longer consistent with the San Francisco Charter, or Administrative Code, or current practice; amending Sections 17.1, 17.2, 17.6, 17.7, 17.8, 17.11, 17.16, 17.17, 17.18, 17.20, 17.21, and 17.23 thereof to make those sections consistent with the powers and responsibilities vested in the Parking and Traffic Commission by the San Francisco Charter, the Administrative Code and with current practice; and adding Sections 17.3, 17.8, 17.11, 17.12, and 17.16 thereto, which provide for certain powers and responsibilities of the Parking Authority consistent with the San Francisco Charter, the Administrative Code and current practice. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 101-95-002.03. [AAO Amendment, New Football Stadium] Ordinance amending the Annual Appropriation Ordinance for the year 1995-96 by adding Section 34 to authorize sequestration of funds for the new stadium to replace 3COM Park. (Also see File 172-96-2). (Recreation and Park Department) Referred to Budget Committee.

File 101-95-078. [Appropriation, DPH-Mental Health/SFGH] Ordinance rescinding $621,105, Mental Health, of Mental Health Professional Services and appropriating $205,030 to salaries and fringe benefits for the creation of eighteen (18) full time equivalent positions at Mental Health, and transferring and appropriating $416,075 for San Francisco General Hospital for salaries, fringe benefits, non-personal services, materials and supplies and equipment purchase for the creation of two hundred twenty-two (222) full time equivalent positions for the operation of the Mental Health Rehabilitation Facility for fiscal year 1995-96; companion measure to File 102-95-19. RO #95200. (Controller) Referred to Budget Committee.

File 101-95-079. [Appropriation, Assessor's Office] Ordinance amending the 1995-96 Annual Appropriation ordinance by appropriating $357,249, Assessor's Office, of AB 818 State Loan Revenue, for salaries, fringe benefits and equipment purchase for the creation of six (6) positions for staff support at the Assessor's Office, for the first year of a three-year project to reduce the assessment backlog; companion measure to File 102-95-20. RO #95202. (Controller) Referred to Budget Committee.

File 101-95-080. [Appropriation, Department of Public Works] Ordinance appropriating $82,500, Department of Public Works, of 1989 Earthquake Safety Bond interest earnings to a capital improvement project (utility pipe bracing) at Laguna Honda Hospital for fiscal year 1995-96. RO #95203. (Controller) Referred to Budget Committee.

File 102-95-019. [Salary Ordinance Amendment, DPH-Mental Health/SFGH] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Department of Public Health-Mental Health, reflecting the creation of eighteen (18) positions at Mental Health-Substance Abuse Services, and two hundred twenty-two (222) positions at San Francisco General Hospital for the operation of the Mental Health Rehabilitation facility for fiscal year 1995-96; companion measure to File 101-95-78. (Department of Human Resources) Referred to Budget Committee.

File 102-95-020. [Salary Ordinance Amendment, Assessor's Office] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Assessor's Office, reflecting the creation of six (6) positions (Classification 4265 Senior Appraiser (1); 4261 Appraiser (2); 4220 Auditor (2); and 4203 Senior Assessment Clerk (1)); companion measure to File 101-95-79. (Department of Human Resources) Referred to Budget Committee.

File 121-96-007. [Filing and License Fees, Police Permits] Ordinance amending Police Code by amending Sections 2.26, 2.26.1, 2.27, and 2.27.1 relating to permit filing fees and permit license fees. (Police Commission) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-96-006. [Prop J Contract, Security Guard Services] Resolution concurring with the Controller's certification that security guard services at 1380 Howard Street, Suite 1000 can be performed by a private contractor for a lower cost that similar services performed by City and County employees. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 028-96-005. [Emergency Repair, Stockton/Laguna Sts/Julian Ave] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Stockton Street between Francisco Street and Bay Street, Laguna Street between Ellis Street and Cleary Court and Julian Avenue between 15th Street and 16th Street - $212,937. (Department of Public Works) Referred to Budget Committee.

File 138-96-001. [Grant, Statutory Rape Vertical Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend grant funds not to exceed the amount of $300,000 including indirect cost not to exceed the amount of $15,000 made available through the California Office of Criminal Justice Planning for the operation of the "Statutory Rape Vertical Prosecution Program" for the twelve month period February 1, 1996 through January 31, 1997. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-96-002. [State Grant, Spousal Abuser Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds not to exceed $132,000.00 with no indirect costs available through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the six-month period January 1, 1996 through June 30, 1996. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-96-003. [State Grant, Automobile Insurance Fraud] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of $300,000.00 including indirect costs of $15,000.00 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of July 1, 1995 through June 30, 1996. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-96-004. [State Grant, Theft and Related Crimes] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of $234,984, including indirect costs of $11,749 made available through the California Department of Insurance for a project intended to facilitate the prosecution of theft and related crimes for the period of July 1, 1994 to June 30, 1996. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-96-005. [State Grant, Worker's Compensation Fraud] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of $331,967.00 including indirect costs of $15,808 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Worker's Compensation Fraud" for the period of July 1, 1995 through June 30, 1996. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 142-96-001. [Water Rates - Finding] Resolution making a finding that no tax subsidy will be required by the San Fancisco Water Department by reason of approval of a proposed schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-96-1.1 and 142-96-1.1. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board May 20, 1996.

File 142-96-001.01. [Approving Revised Rates, S.F./Suburban Areas] Resolution approving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-96-1 and 142-96-1.2. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board 6/20/96.

File 142-96-001.02. [Disapproving Revised Rates, S.F./Suburban Areas] Resolution disapproving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-96-1 and 142-96-1.1. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board May 20, 1996.

File 144-96-001. [Federal Grant, Track Rehabilitation Project] Resolution rescinding Resolution 778-93, authorizing the Executive Director of the Port of San Francisco to retroactively apply for, accept and expend $2.4 million from the Federal Highway Administration for the Track Rehabilitation Project on the Peninsula Corridor Mainline and releasing $700,000 of reserved funds for the purchase and installation of the Digicon Signalization System. (See Files 144-93-5 and 172-95-48). (Port) Referred to Government Efficiency/Labor Committee.

File 146-96-003.01. [Grant Amendment, State Dept. of Rehabilitation] Resolution authorizing the Department of Public Health, Division of Community Mental Health Services, to accept and expend a grant in the amount of $201,997 from the State Department of Rehabilitation and to enter into a Cooperative Program Agreement and a Case Service Contract with the San Francisco Department of Rehabilitation District to provide vocational services to mentally-ill psychiatric clients, waiving indirect costs; rescinding Resolution No. 179-96. (See File 146-96-3) (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-007. [State Grant, Solid Waste Facilities Program] Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to apply for and accept and expend a grant of $22,000, from the California Integrated Waste Management Board, for the support of the Bureau of Environmental Health Management, Local Enforcement Agency's solid waste facilities permitting and inspection program; waiving indirect cost. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-008. [State Grant, Emergency Medical Services Program] Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for retroactively, accept and expend a grant of $100,000, which includes indirect costs in the amount of $7,326, based on 22.2% of personnel expenditures from the State Emergency Medical Services Authority, to provide for review and upgrade of the Emergency Medical Services for Children program; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 148-95-007.01. [State Grant, Integrated Pest Management Project] Resolution authorizing the Director of the Department of Public Works to accept a one-year, $20,000 grant contract, renewable for up to two additional years, with the California Department of Pesticide Regulation, which requires the City to indemnify the State from claims in connection with the performance of the contract. (See File 148-95-7) (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 172-96-015. [Food Stamp Trafficking Agreement Extension] Resolution authorizing the District Attorney, Food Stamp Task Force Division, to amend an existing agreement with the State of California Social Services, to include and extend the terms of the agreement beginning May 1, 1994 through December 31, 1996, to investigate food stamp trafficking. (See File 138-94-5) (District Attorney) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that letter be sent to Director, Department of Parking and Traffic, to determine the proposed timeline and plan for the conversion of quarters-only meters to meters that accept quarters, nickels and dimes.

By Supervisor Shelley, that letter be sent to the Director of the Department of Public Works inquiring into the status of the planning of the Crosstown tunnel, both locally and regionally, and the status of the alternative study which was requested in Resolution No. 948-94.

By Supervisor Yaki, that City Attorney prepare a Charter Amendment to make appointees to the Juvenile Probation Commission serve at the pleasure of the Mayor in time for introduction on May 20, 1996.

By Supervisor Ammiano, that City Attorney investigate and report to the Board of Supervisors regarding the ability of the Board under the City Charter and appropriate state law to adopt changes in the method of voting used in municipal elections by ordinance rather than a vote of the people, thus permitting use of methods such as preference or cumulative voting in local elections.

By Supervisor Kennedy, that letter be sent to the Assembly Appropriations Committee, immediately (must meet Wednesday, May 8 deadline for next hearing) opposing AB 2167 (Richter) - property tax equity; opposing AB 2846 (Sweeney) - annexations within city spheres of influence; supporting AB 2867 (Cortese) - flood control bonds; supporting AB 3357 (Ackerman) - Liability for wild animal attacks; supporting AB 3382 (Knox) - concurrent sales of gas/alcohol; and opposing SB 1903 (Maddy) - property tax administration.

By Supervisor Kennedy, that City Attorney prepare legislation to accept Waterville Street for consideration at the May 14, 1996 Economic Vitality and Social Policy Committee meeting. File 9-96-1.

By Supervisor Kennedy, that letter be sent to various departments concerning possible street acceptance of Waterville Street and requesting their attendance at the May 14, 1996 Economic Vitality and Social Policy Committee meeting. File 9-96-1.

By Supervisor Kennedy, that letter be sent to various departments requesting their attendance at hearing to consider model development called Aging Campus. File 217-96-1.

Motions Adopted

Motion that the Board adjourn its meeting this day out of respect to the memory of the following deceased:

Charlene Henderson (By Supervisor Kennedy)
Melinda Corpuz (By Supervisor Kennedy)
Robert Boswell (By Supervisor Kennedy)
Elizabeth McElroy Bogart (By Supervisor Bierman)
David Molina (By the entire Board)

File 2-96-19

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:14 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 28, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, May 13, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 20

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 13, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Yaki - 8.

Noted absent at first roll call:

Supervisors Alioto, Teng - 2.

Quorum present.

Supervisor Alioto was noted present at 2:10 p.m.

Supervisor Teng was noted present at 2:09 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, April 22, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

COMMUNICATION

The Clerk presented the following communication from Lynette Sweet, San Francisco Redevelopment Agency Commissioner:

John L. Taylor, Clerk
Board of Supervisors
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

Dear Mr. Taylor:

This letter is prompted by the requirements of California Health and Safety Code Section 33130(a). That section requires that any member of a redevelopment agency commission must disclose ownership of property within a redevelopment project area to the community's legislative body. That section further provides that such disclosure is to be entered on the minutes of the legislative body. Accordingly, I am hereby disclosing that property I own at 25 Rebecca Lane is located within Hunters Point Redevelopment Project Area, and requesting that this disclosure be entered on the Board of Supervisors' minutes.

Thank You

Very truly yours,

Lynette Sweet
Agency Commissioner

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could make a presentation.

Suspension of the Rules
Presentation Made

Supervisor Ammiano, seconded by Supervisor Kennedy, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to make a presentation.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10

Supervisor Shelley made a presentation to Supervisor Yaki, on behalf of the entire Board, in recognition of his marriage to Christina Moore on Saturday, May 11, 1996.

The President resumed the Chair.

Presentation of Guests

Supervisor Teng introduced and welcomed a group of students participating in the Neighborhood Computer After school Program of the Career Resources Development Center in the Tenderloin.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Lease Modification, Port/Franciscan Restaurant]
Ordinance approving third amendment to lease of real property between the Franciscan Restaurant and the City and County operating by and through the Port Commission for restaurant and retail uses at Pier 43-1/2, Fisherman's' Wharf. (Port)

File 65-96-7, Ordinance No. 190-96

(May 6, 1996 - Consideration continued to May 13, 1996.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate.

From Chief Administrative Officer

Adopted

[Sewer Service Charge, 1996-97]
Resolution adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1996-97 pursuant to Articles 4.1 and 4.2 of the Public Works Code; providing for severability clause. (Chief Administrative Officer)

File 21-96-1, Resolution No. 406-96

(Filed April 15, 1996.)

(May 6, 1996 - Consideration continued to May 13, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Health]
Ordinance appropriating and rescinding $22,040,803, Department of Public Health, of revenues (Realignment Short Doyle Medi-Cal and Medical), contribution transfers, salaries and fringe benefits at the Department of Mental Health, Laguna Honda and San Francisco General Hospitals to address projected deficit for fiscal year 1995-96. (Controller)

File 101-95-75, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[General Assistance Grant, FY 1996-97]
Ordinance amending Administrative Code (General Assistance Ordinance) relating to the cost of living adjustment of aid grants. (Mayor, Supervisor Kennedy)

File 97-96-25, Ordinance No.

(Amends Section 20.57.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Noes: Supervisors Alioto, Ammiano - 2.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate.

Adopted

[Bayshore Hester Assessment District]
Resolution ordering changes and modifications to the Engineer's Report, including the assessment roll for the City and County of San Francisco Bayshore Hester Assessment District No. 95-1. (Supervisors Shelley, Kaufman, Bierman, Hsieh, Teng, Kennedy)

File 251-95-2.1, Resolution No. 392-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Teng, Kennedy requested to be added as co-sponsors.

[Bonds, Bayshore Hester Assessment District]
Resolution providing for the issuance of $1,030,000 principal amount of limited obligation improvement bonds; providing for the approval and execution and delivery by officers of the City and County of a fiscal agent agreement; providing for the appointment of a fiscal agent for the bonds and an assessment administrator; providing for the collection of assessments to pay the principal of and interest on said bonds; approving the notice of sale and preliminary official statement for said bonds; authorizing the execution of said bonds; approving an acquisition and funding agreement and a continuing disclosure agreement; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Supervisors Shelley, Kaufman, Bierman, Hsieh, Teng, Kennedy)

File 170-96-2, Resolution No. 415-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Teng, Kennedy requested to be added as co-sponsors.

The President resumed the Chair.

Recommendations of Health, Public Safety and Environment Committee

Adopted

[State Penal Code - Rape]
Resolution urging the State Legislature to increase the penalties for the crime of rape as defined in State Penal Code Sections 264 (a) and (b) and Penal Code Sections 186.22 (a) and (b); and urging the Governor and the State Legislature to increase funding for rape prevention programs. (Supervisors Alioto, Leal, Yaki, Ammiano, Bierman, Teng, Shelley, Kennedy)

File 12-96-21, Resolution No. 404-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Yaki, Ammiano, Bierman, Teng, Shelley, Kennedy requested to be added as co-sponsors.

[Rape - Sexual Assault and Treatment Services]
Resolution urging his Honor, the Mayor, to support the Department of Public Health Adult Sexual Assault Services Planning group's recommendations to develop an integrated sexual assault services system in the City and County and to urge the Commission on the Status of Women to enhance the sexual assault service delivery system for young women and girls in the City and County. (Supervisors Alioto, Leal, Yaki, Ammiano, Bierman, Teng, Shelley, Kennedy)

File 30-96-9, Resolution No. 407-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Yaki, Ammiano, Bierman, Teng, Shelley, Kennedy requested to be added as co-sponsors.

Rereferred to Committee

[Sexual Predator Law, AB 888]
Resolution designating the District Attorney to assume responsibility for proceedings brought under AB 888, the new State sexual predator law. (Supervisors Kaufman, Alioto, Kennedy)

File 236-96-1, Resolution No.

Supervisor Kaufman, seconded by Supervisor Alioto, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Historic Property Restoration]
Ordinance amending Administrative Code, to implement California Mills Act allowing owners of qualified historic properties to contract with the City to rehabilitate, restore and preserve properties and to procure property tax reductions pursuant to individual Mills Act contracts and to establish fee to pay for costs of entering Mills Act contract and administering this program. (Supervisors Bierman, Alioto, Kennedy)

File 97-95-56, Ordinance No.

(Adds Sections 71.1 through 71.6.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

Consideration Continued

[Review of Murals on Landmark Structures]
Ordinance amending City Planning Code, to require review of murals on landmarks or in a historic district. (Supervisor Bierman)

File 115-95-3.1, Ordinance No.

(Amends Sections 1005, 1006, 1006.6 and 1006.7.)

(The legislation was amended by the Housing and Land Use Committee.)

(General Rule Exclusion from environmental review.)

The Clerk announced that the legislation was amended in committee and the Planning Code requires that this amended ordinance be referred back to the Planning Commission for further review. A motion to continue the item to June 10, 1996 would be in order to allow the Planning Commission adequate time to review the legislation and report back to the Board of Supervisors

Supervisor Teng, seconded by Supervisor Yaki, moved to continue consideration to June 10, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Sidewalk Width Regulations, Indiana Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section 1521 changing official sidewalk width on the east side of Indiana Street between 23rd Street and Tubbs Street, as shown on the Department of Public Works drawing labeled Q-20-435 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

[Zoning Map Amendment, 1118 Capitol Avenue]
Ordinance amending Planning Code, by adopting changes in property use classification as an amendment to the Zoning Map of the City and County for property generally described as 1118 Capitol Avenue, Assessor's Block 6937, Lot 26, from an RH-1 (House, One-Family) District to an RH-2 (House, Two-Family) District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-96-3, Ordinance No.

(City Planning Resolution No. 14083, adopted 3/21/96.)
(Exempt from environmental review per Certificate of Determination issued January 19, 1996.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

[Landmark Designation, Milo Hoadley Residence]
Ordinance designating the Milo Hoadley Residence as Landmark No. 216 pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-96-2, Ordinance No.

(City Planning Resolution No. 14079, adopted 3/14/96.)
(Landmarks Preservation Advisory Board Resolution No. 481, adopted 11/15/95.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

Adopted

[Encroachment Permit, 62-64 Bonview Street]
Resolution granting revocable permission to James P. Zerga to construct one (1) concrete retaining wall and landscaping in conjunction with grading and constructing a private driveway for access to 62-64 Bonview Street (Block 5613, Lots 20 and 21) and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-96-2, Resolution No. 400-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

[Encroachment Permit, Golden Gate Ave/Larkin Street]
Resolution granting revocable permission to the Clark Construction Group, Inc. to temporarily close and occupy the southerly sidewalk and a portion of the street area on Golden Gate Avenue, between Polk and Larkin Streets, and the westerly sidewalk and a portion of the street area on Larkin Street, between McAllister Street and Golden Gate Avenue during construction operations for the State Office Building Project at 455 Golden Gate Avenue and 350 McAllister Street (Block 765, Lots 2 and 3). (Department of Public Works)

File 10-96-3, Resolution No. 401-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

[Temporary Closure of Wayne Place]
Resolution urging the Department of Parking and Traffic and Department of Public Works to support the temporary closure and improvements of Wayne Place for children's recreational activities operated by the Wu Yee Children's Services. (Supervisors Teng, Bierman, Ammiano, Shelley, Yaki, Kennedy)

File 42-96-2, Resolution No. 408-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Shelley, Yaki, Kennedy requested to be added as co-sponsors.

Appointment of President Pro Tempore

At the request of the President, Supervisor Bierman assumed the Chair so the President could participate in the debate.

[Northeastern Waterfront Survey Area]
Resolution amending Resolutions 141-77, 607-91 and 125-95 designating and describing the Northeastern Waterfront Survey Area by adding real property to said survey area (to potentially provide land for the proposed Giant's Downtown Ballpark). (Supervisors Shelley, Teng, Alioto, Yaki, Hsieh, Kennedy)

File 151-96-1, Resolution No. 414-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisor Kaufman, Leal - 2.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

The President resumed the Chair.

[Liquor License, 1765 California Street]
Resolution determining that the issuance of a Type 20 off-sale beer and wine license for Whole Foods Market located at 1765 California Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-15, Resolution No. 416-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Shelley, Teng - 6.

Noes: Supervisors Ammiano, Kennedy, Yaki - 3.

Absent: Supervisor Leal - 1.

[Liquor License Transfer, 4 Valencia Street]
Resolution determining that the transfer of a Type 48 on-sale general premise liquor license for Martuni's Inc., located at 4 Valencia Street, from a store located at 580 Pacific Avenue, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-16, Resolution No. 417-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Leal - 1.

[Appeal, Sidewalk Encroachment, 1350 Florida Street]
Motion upholding the appeal of a decision by the Department of Public Works, which denied the issuance of a Minor Sidewalk Encroachment Permit to install: (1) two pipe barriers, 6 feet apart, 4 feet high, 3-1/2 feet from property line, with a fence, shrubs, flowers, etc.; (2) place one pipe barrier on the middle of the driveway removable with a lock, a foot or parallel from the curb, to prevent motorists from driving on the sidewalk at that location; and granting the issuance of a minor sidewalk encroachment permit for the property at 1350 Florida Street, which will allow the applicant to place one removable bollard placed at the curb within the driveway at 1350 Florida Street. (Housing and Land Use Committee)

File 24-96-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kennedy, Leal - 2.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, for unexpired portion of four-year term ending June 25, 1997; making finding waiving residency requirement. (Rules Committee)

File 92-95-12, Resolution No. 389-96

(John "Pete" Peterson, vice Robert J. Boileau, Seat No. 26704, Building Trade, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kennedy, Leal - 2.

[Appointments]
Resolution appointing members to the Delinquency Prevention Commission. (Rules Committee)

File 92-95-28.1, Resolution No. 390-96

(Joshua Bloom, vice Father James M. Goode, Seat No. 21809, resigned, for unexpired portion of term ending December 31, 1996;
Megan Burke, vice Elizabeth Youhn, Seat No. 21819, resigned, for unexpired portion of term ending June 30, 1999.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

[Appointments]
Resolution appointing members to the Telecommunications Policy Committee, terms expired, for new two-year terms ending February 1, 1998. (Rules Committee)

File 92-95-48.2, Resolution No. 391-96

(Michael B. Freeman, vice Carol C. Hull, Seat No. 21606, public-at-large;
Maria Luz Agudelo, vice Edd Dundas, Seat No. 21605, public-at-large.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

[School-to-Career Opportunities Act]
Resolution supporting SB 643, the School-to-Career Opportunities Act and directing the State Legislative Representative to work towards strengthening the Act and furthering its passage. (Supervisors Shelley, Alioto, Teng)

File 12-96-12, Resolution No. 402-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted as Amended

[Absentee Voter Procedures]
Resolution resolving that California Election Code Section 3017 discriminates against absentee voters based on their marital and ((familial)) family status; urging the State Legislature to amend Election Code Section 3017 to delete any mention of any type of marital or family status; asking the City Attorney to institute proceedings to enforce guarantees of the Fourteenth and Fifteenth Amendments with regard to Election Code Section 3017 which has the effect of denying or abridging the right to vote in

contravention of the guarantees set forth in the Constitution of the United States. (Supervisors Kaufman, Bierman, Shelley, Ammiano, Leal, Ammiano, Alioto, Teng)

File 12-96-17, Resolution No. 403-96

Supervisor Kaufman, seconded by Supervisor Leal, moved an amendment of the whole entitled, "Resolution resolving that California Election Code Section 3017 discriminates against absentee voters based on their marital and family status; urging the State Legislature to amend Election Code Section 3017 to delete any mention of any type of marital or family status; asking the City Attorney to institute proceedings to enforce guarantees of the Fourteenth and Fifteenth Amendments with regard to Election Code Section 3017 which has the effect of denying or abridging the right to vote in contravention of the guarantees set forth in the Constitution of the United States."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Leal, Ammiano, Alioto, Teng requested to be added as co-sponsors.

Adopted

[Appointment]
Resolution appointing member to the Advisory Council to the Commission on the Aging, for two-year term ending March 31, 1998. (Rules Committee)

File 92-96-1, Resolution No. 409-96

(Ernestine Pina McGoldrick, vice Daisie Flor V. Harrison, Seat No. 20307, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

[Appointment]
Resolution appointing member to the Delinquency Prevention Commission for unexpired portion of four-year term ending December 31, 1998. (Rules Committee)

File 92-96-18, Resolution No. 410-96

(Melanie DewBerry, vice David Inocencio, Seat No. 21805, interest and knowledge regarding juvenile delinquency prevention, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

[Appointments]
Resolution appointing members to the City-Wide Alcoholism Advisory Board, terms expiring July 1, 1996, for new three-year terms ending July 1, 1999. (Rules Committee)

File 92-96-22.1, Resolution No. 411-96

(Robert Nelson, Jr., vice himself, Seat No. 2D603, Professional, research or personal interest in alcoholism;
Rev. Timothy Downs, vice himself, Seat No. 20604, Professional, research or personal interest in alcoholism;
Deborah Doyle, vice herself, Seat No. 20605, Professional, research or personal interest in alcoholism.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

[Appointment]
Resolution appointing member to the San Francisco Environment Commission, for new three-year term ending May 12, 1999. (Rules Committee)

File 92-96-23, Resolution No. 412-96

(Paul Okamoto, vice himself, Seat No. 26513, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

Conference with City Attorney - Litigation
From the President

Adopted

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the existing litigation of Williams v. San Francisco, U.S. District Court Nos. C96-0705 SBA and C96-1337 SBA, as permitted by Government Code Section 54956.9(a).

Supervisor Kaufman, seconded by Supervisor Teng, moved adoption.

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

Recess

The Board recessed at the hour of 4:16 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 5:22 p.m., reconvened.

Noted Present: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Noted absent: Supervisor Leal - 1.

Quorum present.

Report on Closed Session

Deputy City Attorney Tom Owen reported that the Board had met in closed session with the City Attorney for the purpose of reviewing the existing litigation of Williams v. San Francisco, U.S. District Court Nos. C96-0705 SBA and C96-1337 SBA, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kaufman, seconded by Supervisor Teng, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng, Yaki - 9.

Absent: Supervisor Leal - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Eula Walters, opposing building in Ferry Park;
Eladio Ballestas, evictions;
Leonard Ross, government entitlements;
Laboriae Smoore, police brutality;
Louise Vaughn, Aaron Williams death;
Gregory Wiggins, gun incident on MUNI;
Wendy Lauren, police problems;
Sara Benefee, poverty and homelessness;
Constance Kuruppu, pepper spray used by police;

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commending Citizen Volunteers]
Resolution commending citizens who volunteer their time for the benefit of the City of San Francisco, noting that their contributions are greatly valued and encouraging the people and governmental agencies of San Francisco to join in, celebrate and support their efforts to continue to improve the quality of life for all San Franciscans. (Supervisors Kaufman, Bierman, Kennedy)

File 6-96-67, Resolution No. 396-96

(May 6, 1996 - Introduced in Board for consideration on May 13, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Kennedy requested to be added as co-sponsors.

[Commending Geo/Resource Consultants, Inc.]
Resolution commending Geo/Resource Consultants, Inc., on their 20th Anniversary. (Supervisors Teng, Yaki, Bierman, Kennedy)

File 6-96-68, Resolution No. 397-96

(May 6, 1996 - Introduced in Board for consideration on May 13, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Bierman, Kennedy requested to be added as co-sponsors.

[Market Heights Affordable Housing]
Resolution commending the Bernal Heights Housing Corporation for building Market Heights and welcoming its first residents. (Supervisors Shelley, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki)

File 6-96-69, Resolution No. 398-96

(May 6, 1996 - Introduced in Board for consideration on May 13, 1996.)

Adopted.

[Asian American Day in the Park]
Resolution commending Asian American Day in the Park, Jest Jammin's 25th Anniversary and Norman Fong. (Supervisors Teng, Shelley, Kaufman, Yaki, Bierman, Kennedy)

File 6-96-70, Resolution No. 399-96

(May 6, 1996 - Introduced in Board for consideration on May 13, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Yaki, Bierman, Kennedy requested to be added as co-sponsors.

[Stop Intersection, 30th Avenue/Clement Street]
Resolution designating 30th Avenue and Clement Street as an all-way "Stop" intersection. (Supervisors Shelley, Yaki, Teng, Kennedy)

File 18-96-7, Resolution No. 405-96

(May 6, 1996 - Introduced in Board for consideration on May 13, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Teng, Kennedy requested to be added as co-sponsors.

[Federal Grant-Enterprise Community Program]
Resolution authorizing the Mayor to accept and expend Social Services Block Grant (SSBG) funds in a total amount not to exceed $2,947,368 from the California Department of Social Services for the U.S. Department of Housing and Urban Development-Administered Empowerment Zone/Enterprise Community Program. (Supervisors Leal, Bierman, Shelley, Teng, Kennedy)

File 68-96-4, Resolution No. 388-96

(May 6, 1996 - Introduced in Board for consideration on May 13, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Kennedy requested to be added as co-sponsors.

[Elections Task Force]
Resolution urging the Mayor and the Registrar of Voters to appoint members to any vacant positions on the Elections Task Force created by voter approved Proposition L and urging the Mayor to provide supplemental appropriation of funds needed to complete its work. (Supervisors Ammiano, Bierman, Kennedy)

File 92-96-24, Resolution No. 413-96

(May 6, 1996 - Introduced in Board for consideration on May 13, 1996.)

Adopted.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

[Final Map, 313 2nd Avenue]
Motion approving final map of 313 2nd Avenue, a Condominium Project, being a resubdivision of Lot 3 in Assessor's Block 1434, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-11

(May 6, 1996 - Introduced in Board for consideration on May 13, 1996.)

Adopted.

[Final Map, 690 Church Street]
Motion approving final map of 690 Church Street, a Condominium Project, being a resubdivision of Lot 12A in Assessor's Block 3585, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-12

(May 6, 1996 - Introduced in Board for consideration on May 13, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kennedy, Leal - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-20, Resolution No. 393-96

(Mary I. Callanan, Treasurer, Office of the Treasurer, May 3 - 6; Gene DeMartini, Commissioner, Juvenile Probation Commission, May 8 - 14; David C. Frieders, Agricultural Commissioner/Director of Wts. & Measures, May 6 - 10; V. C. Gee, Commission Chair, Ethics Commission, May 17 - 27; Jon Henry Kouba, President, Redevelopment Agency, May 2 - 12; Jane Morrison, President, Social Services Commission, May 31 - June 17; Sululagi Palega, Sr., Commissioner, Social Services Commission, June 28 - July 5; Anson B. Moran, General Manager, Public Utilities, May 20 - 24; Richard A. Sullivan, Tax Collector, Office of the Treasurer/Tax Collector, May 17 - 19; Emily J. Sano, Director, Asian Art Museum, May 2 - 4 and May 7 - 11; Ted N. Soulis, Commissioner, Fire Commission, May 9 - 13, 1996.)

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kennedy, Leal - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kennedy, Leal - 2.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kennedy, Leal - 2.

[Imperative Resolutions]

Adopted

[Proclaiming Try Transit Week]
Resolution declaring May 13-17, 1996 to be "Try Transit Week" in San Francisco and encouraging San Franciscans to utilize public transportation.

File 004-96-011, Resolution No. 394-96

Supervisors Hsieh, Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kennedy, Leal - 2.

[Proclaiming Leslie Miko Day]
Resolution proclaiming May 13, 1996 Leslie Miko Day in San Francisco.

File 004-96-013, Resolution No. 395-96

Supervisors Yaki, Shelley, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kennedy, Leal - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[MOU - Physicians & Dentists Unit 8CC]
Ordinance amending Ordinance No. 331-94 to implement the provisions of a mediated settlement dated April 24, 1996 between the Union of American Physicians and Dentists for Bargaining Unit 8CC and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered on May 28, 1996.

File 093-94-022.02.

[MOU - Physicians and Dentists Unit 11AA]
Ordinance amending Ordinance No. 331-94 to implement the provisions of a mediated settlement dated April 24, 1996 between the Union of American Physicians and Dentists for Bargaining Unit 11AA and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered on May 28, 1996.

File 093-94-023.02.

[Lien]
Ordinance directing Tax Collector to expunge lien for $10,145.90 for unpaid water bills on property known as Booker T. Washington Community Service Center at 800 Presidio and authorizing Tax Collector to forgive debt including interest and penalties for the unpaid water bill. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered on May 20, 1996.

File 003-96-001.01.

[Memberships - Board of Supervisors]
Ordinance amending Administrative Code by amending Section 16.6-1 to add to the list of organizations

in which the Board of Supervisors provides representation for the City and County of San Francisco, the Urban Counties Caucus. Supervisor Kennedy presented. Referred to Budget Committee.

File 097-96-031.

[Home Delivery Services]
Ordinance amending Police Code by adding Section 3305.1 making it unlawful to refuse home delivery services to a residential address located within the business' normal delivery range. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered on May 20, 1996.

File 121-96-008.

[Gun Free Zone]
Draft Ordinance amending Police Code by amending Section 613.3 to prohibit the sale of firearms near churches, community centers and other locations where regularly scheduled activities are conducted for people under 18 years of age. Supervisors Yaki, Leal, Kaufman, Bierman presented. Referred to Health/Public Safety/Environment Committee

File 121-96-009.

[Sale of Saturday Night Specials]
Draft Ordinance amending Police Code by amending Sections 613.1 and 613.10 to define and prohibit the sale of certain firearms deemed "Saturday Night Specials". Supervisors Leal, Yaki, Kaufman, Bierman presented. Referred to Health/Public Safety/Environment Committee

File 121-96-010.

[Summer Youth Employment Credit]
Substitute Ordinance amending Part III, Article 12-A (Payroll Expense Tax) and 12-B (Business Tax) by adding Sections 906-C and 1005.7, respectively, to provide for credits against those taxes for businesses hiring youths between the ages of 14 and 21 for the summer; and providing that the provisions of these credits expire on December 31, 2001. Supervisors Yaki, Leal, Ammiano, Bierman, Teng, Alioto, Kaufman presented. Referred to Budget Committee

File 127-96-005.

Referred to Board

[Proclaiming Stand For Children Day]
Resolution supporting the Children's Defense Fund's "Stand For Children" Day and declaring June 1, 1996 as "Stand For Children Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 20, 1996.

File 004-96-012.

[Commending Joseph W. Cotchett, Jr.]
Resolution commending Joseph W. Cotchett, Jr. for his many contributions to the legal profession and to his community. Supervisors Shelley, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 20, 1996.

File 006-96-071.

[State Legislation, Opposing AB 2167]
Resolution opposing Assembly Bill 2167, which would take $87 Million in state funds from the San Francisco budget. Supervisors Hsieh, Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar May 20, 1996.

File 012-96-026.

[Federal Legislation, Opposing HR 3396]
Resolution opposing House Resolution 3396 (Barr) that would create a federal definition of marriage that only includes heterosexual couples and would prevent the federal government from recognizing legal same-sex marriages. Supervisors Alioto, Ammiano, Yaki, Leal, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 20, 1996.

File 013-96-020.

Referred to Committee

[Appointment]
Resolution confirming the appointment of Mary C. Dunlap, Interim Director of the Office of Citizen Complaints, as the permanent Director of the Office of Citizen Complaints. Supervisor Ammiano presented. Referred to Rules Committee.

File 033-96-004.

[Grant, Art Commission]
Resolution authorizing the San Francisco Art Commission to apply for, accept and expend $20,000 of California Art Council grant funds to implement a new Collaborative Arts Education Project in Latin American Arts & Culture in partnership with the Mission Cultural Center for Latino Arts and five schools of the San Francisco Unified School District, waiving the 2% associated indirect costs. Supervisors Yaki, Leal presented. Referred to Government Efficiency/Labor Committee.

File 132-96-002.

[Street Artists]
Resolution designating for four months six selling spaces on Hyde Street, east side, Beach to Jefferson Streets, for street artists certified by the Art Commission, City and County of San Francisco, and exempting said spaces from the regulations prohibiting selling within seven and a half feet of a sprinkler inlet and twelve feet from the outer edge of an entrance to a building. Supervisor Shelley presented. Referred to Housing and Land Use Committee with request it be considered on June 6, 1996.

File 169-96-001.

[Street Artists]
Resolution designating four former temporary holiday selling spaces on Market Street, south side, 2nd to 1st Streets, as permanent selling spaces and designating three former temporary holiday selling spaces on Sutter Street, south side, at Market Street, for one year subject to Board of Supervisors review for street artists certified by Art Commission, City and County of San Francisco. Supervisor Shelley presented. Referred to Housing and Land Use Committee with request it be considered on June 6, 1996.

File 169-96-002.

[Street Artists]
Resolution re-designating for six months three selling spaces on Stockton Street, west side, at O'Farrell Street, for street artists certified by the Art Commission, City and County of San Francisco; holding harmless from any litigation any building adjacent to said street artist spaces. Supervisor Shelley presented. Referred to Housing and Land Use Committee with request it be considered on June 6, 1996.

File 169-96-003.

Requests for Hearings:

[General Assistance Program]
Hearing to consider the effectiveness of the General Assistance Program for the City and County of San Francisco. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 107-96-002.

[Payment of Property Taxes]
Hearing to consider establishing a procedure to permit payment of property taxes by credit card. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 127-96-006.

[Hunters Point Shipyard]
Hearing to consider the status of the creation of a Public Benefits Corporation to manage the reuse of the Hunters Point Shipyard. Supervisor Shelley presented. Referred to Select Committee on Base Closures.

File 244-96-003.

[Hunters Point Shipyard]
Hearing to consider issues concerning Astoria Metals at the Hunters Point Shipyard. Supervisor Shelley presented. Referred to Select Committee on Base Closures.

File 244-96-004.

[Preservation of Neighborhood Business]
Hearing to consider community input on the possible closing of Old Uncle Gaylord's Ice Cream Parlor on Irving Street. Supervisors Teng, Yaki, Bierman presented. Referred to Housing and Land Use Committee.

File 265-96-001.

Motions:

Referred to Board

[Local Emergency, Needle Exchange Program]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 20, 1996.

File 030-96-001.09.

[Specifications for City Seal and Flag]
Motion requesting the Clerk of the Board to take the necessary steps to prepare and submit to the Board of Supervisors recommendations for the establishment of official specifications for the Seal of the City and County of San Francisco, other official seals, and city and county flags and any appropriate models thereof, and requesting the Clerk submit a request for a supplemental appropriation of $5,000. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 20, 1996.

File 054-96-004.

[Final Map, Bayshore Hester Heights]
Motion approving final map of Bayshore Hester Heights, a Planned Unit Development, being a merger and resubdivision of Bayshore/Hester Unit 1 (41 PM 70) in Assessor's Block 5054A, and adopting findings pursuant to City Planning Code Section 101.1. (DPW Order No. 169,565). Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 20, 1996.

File 058-96-015.

Referred to Committee

[Filing Amicus Brief]
Motion authorizing the City and County of San Francisco to participate in the litigation entitled, California Rifle and Pistol Association, Inc., et al. vs. City of West Hollywood, et al., Superior Court for the Central Los Angeles Judicial District, No. B0144600, by the filing of an Amicus Brief. Supervisors Leal, Yaki, Kaufman, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 196-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-96-003. [Sidewalk Width Regulations] Ordinance amending ordinance No. 1061 entitled "Regulating the width of sidewalks" by adding thereto Section No. 1523 changing the official sidewalk widths on the south side of Irving Street between Arguello Boulevard and 2nd Avenue, on the northwest corner of Judah Street and 18th Avenue, on the northwest corner of Judah Street and 36th Avenue, on the northwest corner of Taraval Street and 36th Avenue, on the southwest corner of Taraval Street and 37th Avenue, and on a portion of Irving Street between 2nd Avenue and 3rd Avenue, collectively known as MUNI Key Stop Phase "B", and as shown on the Department of Public Works drawing labeled Q-20-440 through Q-20-445, inclusive, and making findings pursuant to City Planning Code Section 101.1. Referred to Housing and Land Use Committee.

File 045-96-030. [Anthony Muschi v. CCSF] Ordinance authorizing settlement of litigation of Anthony Muschi against the City and County of San Francisco by payment of $27,500. (Superior Court No. 968071). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-95-030.01. [Amendment to MOU, Deputy Sheriff's Assn.] Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the Deputy Sheriff's Association and the City and County of San Francisco to correct a clerical error for the period July 1, 1995 through June 30, 1998. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-96-021. [Access to Electronic Information] Substitute ordinance amending Administrative Code by amending Section 67.21, governing requirements for the release and storage of information stored in electronic form. (Sunshine Ordinance Task Force) Referred to Government Efficiency/Labor Committee.

File 101-95-081. [Appropriation, Department of Public Health/SFGH] Ordinance appropriating $63,841 from the General Fund Reserve, rescinding $24,540 of State tobacco tax revenues and appropriating $39,301 for management information systems of the Department of Public Health in the General Fund; appropriating and rescinding (reallocating) various tobacco tax revenues and expenditures to comply with State guidelines in the tobacco tax fund; appropriating $201,685 of tobacco tax revenues for salaries and fringe benefits at San Francisco General Hospital for fiscal year 1995-96. RO #95201. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-96-007. [Prop J Contract, Convention Facilities Management] Resolution concurring with Controller's certification that convention facilities management operation and maintenance service can be practically performed at Brooks Hall, Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by the City and County employees. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 048-96-013. [Settlement of Claim, Shawn Bolan] Resolution approving the settlement of the unlitigated claim of Shawn Bolan dba Rose Express by payment of $8,722.29. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-004. [Lease of Property at One Jones Street] Resolution authorizing the month-to-month lease agreement for One Jones Street for the San Francisco Police Department's Tenderloin Task Force retroactive to 3/1/95. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 168-96-003. [Park and Open Space Fund, 1996-97] Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1996-1997, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that letter be sent to the City Attorney and to the Honorable City Planning Commission forwarding copies of two resolutions passed by the City of Medina, Washington, "imposing a moratorium upon the issuance of special use permits for communications facilities" and a copy of Judge William L. Dwyer's (U.S. District Judge-United States District Court, Western District of Washington at Seattle) "order on preliminary injunction" denying Sprint Spectrum L.P.'s request for the injunction and requesting the City Attorney comment on the implications of the decision and the City Planning Commission consider amending its proposed conditions regarding the placement of cellular antennas.

By Supervisor Alioto, that letter be sent to his Honor, the Mayor, inquiring as to when he intends to fill the vacancy created March 28, 1996 on the Board of Supervisors by the departure of former Supervisor Carole Migden to the State Assembly.

By Supervisor Kennedy, that letter be sent to United States Senators Nancy Kassebaum and Edward M. Kennedy and Congressmen William F. Goodling and Pat Williams regarding pending action by the Senate and House Conference Committee on Workforce Development legislation, HR 1617.

By Supervisor Yaki, that letter be sent to Mr. Noel Radcliffe regarding lease extension and/or lease options for Old Uncle Gaylord's Ice Cream Parlor located on Irving Street.

By Supervisor Kennedy, that letter be sent to the Director of Purchasing regarding the proposed Prime Vendor/Distribution Program awarded to Baxter Healthcare Corporation, Contract No. 60400, expressing concern that the Exam Gloves #60712 portion of the contract was separated and inquiring as to why the contract was separated and requesting a response by the end of the week.

By Supervisor Kennedy, that letter be sent to the Department of Parking and Traffic requesting necessary actions be taken (including the waiver of any required fees) to ensure the closure of various streets on Sunday, October 13, 1996 to allow the Golden Gate Chapter, the San Francisco Bicycle Coalition and other community service groups to conduct a bicycle event, "Ride For Awareness", following the Bay to Breakers route (except for the Hayes Street hill) to kick off "White Cane Week".

By Supervisor Kennedy, that City Attorney prepare legislation to amend the appropriate sections of the Administrative Code pertaining to the Urban Economic Development Corporation by adding language to read as follows: "The Urban Economic Development Corporation is able to engage in real estate development opportunities, activities and projects as deemed necessary to accomplish the continued economic development goals as set forth in the original charter, these real estate development opportunities, activities and projects are to include but are not limited to public and private joint ventures."

By Supervisors Ammiano, Bierman, that City Attorney review the City's cable franchise agreement to identify a means by which the Board of Supervisors can require greater diversity of viewpoint and opportunity for rebuttal of inaccurate presentation in Viacom Cablevision's public/community affairs programming.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Isabelle Parker (By Supervisor Kennedy)
Sheng Yoen Tong Liu (By Supervisor Teng)
Ernestine Webb (By the entire Board)

File 2-96-19

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:28 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 17, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, May 20, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 21

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 20, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Kaufman, Shelley, Teng, Yaki - 6.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Kennedy, Leal - 4.

Quorum present.

Supervisor Alioto was noted present at 2:06 p.m.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Leal excused, (See infra.)

Supervisor Kennedy was noted present at 2:09 p.m.

Supervisor Leal Excused

The Clerk announced that Supervisor Leal requested to be excused from attendance because of a death in the family.

Supervisor Kaufman, seconded by Supervisor Teng, moved to excuse Supervisor Leal from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Shelley, Teng, Yaki - 7.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Alioto, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, April 29, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Shelley, Teng, Yaki - 7.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Appropriation, Department of Public Health]
Ordinance appropriating and rescinding $22,040,803, Department of Public Health, of revenues (Realignment Short Doyle Medi-Cal and Medical), contribution transfers, salaries and fringe benefits at the Department of Mental Health, Laguna Honda, and San Francisco General Hospitals to address projected deficit for fiscal year 1995-96. (Controller)

File 101-95-75, Ordinance No. 192-96

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Historic Property Restoration]
Ordinance amending Administrative Code, to implement California Mills Act allowing owners of qualified historic properties to contract with the City to rehabilitate, restore and preserve properties and to procure property tax reductions pursuant to individual Mills Act contracts and to establish fee to pay for costs of entering Mills Act contract and administering this program. (Supervisors Bierman, Alioto Kennedy)

File 97-95-56, Ordinance No. 191-96

(Adds Sections 71.1 through 71.6.)

Finally passed.

[Sidewalk Width Regulations, Indiana Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section 1521 changing official sidewalk width on the east side of Indiana Street between 23rd Street and Tubbs Street, as shown on the Department of Public Works drawing labeled Q-20-435 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-1, Ordinance No. 193-96

Finally passed.

[Zoning Map Amendment, 1118 Capitol Avenue]
Ordinance amending Planning Code, by adopting changes in property use classification as an amendment to the Zoning Map of the City and County for property generally described as 1118 Capitol Avenue, Assessor's Block 6937, Lot 26, from an RH-1 (House, One-Family) District to an RH-2 (House, Two-Family) District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-96-3, Ordinance No. 194-96

(City Planning Resolution No. 14083, adopted 3/21/96.)
(Exempt from environmental review per Certificate of Determination issued January 19, 1996.)

Finally passed.

[Landmark Designation, Milo Hoadley Residence]
Ordinance designating the Milo Hoadley Residence as Landmark No. 216 pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-96-2, Ordinance No. 195-96

(City Planning Resolution No. 14079, adopted 3/14/96.)
(Landmarks Preservation Advisory Board Resolution No. 481, adopted 11/15/95.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Mychelle Colleary v. CCSF, et al.]
Ordinance authorizing settlement of personal injury claim of Mychelle Colleary against the City and County and its employee Chinedu Elekwachi by payment of $15,000, each side to bear its own costs and attorneys' fees. (City Attorney)

File 45-96-22, Ordinance No.

(Superior Court No. 969-275.)

Passed for second reading.

[Tina Periera v. CCSF]
Ordinance authorizing settlement of litigation of Tina Periera against the City and County of San Francisco by payment of $6,000. (City Attorney)

File 45-96-23, Ordinance No.

(Superior Court No. 961-877.)

Passed for second reading.

[Mamaradlo v. CCSF]
Ordinance authorizing settlement of litigation of Virginia Mamaradlo and Manuel Mamaradlo against the City and County by payment of $90,000. (City Attorney)

File 45-96-24, Ordinance No.

(Superior Court No. 965-646.)

Passed for second reading.

[Eubank v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Jerry Eubank and Charles Eubank against the City and County by payment of $55,000. (City Attorney)

File 45-96-25, Ordinance No.

(Superior Court No. 958-994.)

Passed for second reading.

[U.S.A. (Davis) v. CCSF]
Ordinance authorizing partial settlement of litigation of U.S.A. (Davis) v. City and County, by payment of $195,875.00. (City Attorney)

File 45-96-26, Ordinance No.

(USDC, Northern District of California, Consolidated Cases Nos. C84-1100 MHP, C84-7089 MHP.)

Passed for second reading.

[Barnes Construction Co., Inc. v. CCSF et al.]
Ordinance authorizing settlement of litigation of Barnes Construction Co., Inc. against the City and County by payment of $15,000. (City Attorney)

File 45-96-27, Ordinance No.

(Superior Court No. 968-676.)

Passed for second reading.

[Joseph Nugent/Catherine Schoop v. CCSF et al.]
Ordinance authorizing settlement of litigation of Joseph Nugent and Catherine Schoop against the City and County by payment of $13,888.85. (City Attorney)

File 45-96-28, Ordinance No.

(Municipal Court No. 118698.)

Passed for second reading.

[Morley Shapiro v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Morley Shapiro against the City and County by payment of $40,000. (City Attorney)

File 45-96-29, Ordinance No.

(Superior Court No. 958-035.)

Passed for second reading.

[CCSF, v. Department of Health Services]
Ordinance authorizing settlement of litigation of the City and County against the State Department of Health Services, for approval of Medi-Cal reimbursement claims. (City Attorney)

File 46-96-7, Ordinance No.

(Superior Court No. 962-505.)

Passed for second reading.

[CCSF v. AVP Investments, et al.]
Ordinance authorizing settlement of litigation of City and County v. AVP Investments, et al. and the City's purchase of Assessor's Block 2336, Lot 27, for open space for $2,340,000. (City Attorney)

File 46-96-8, Ordinance No.

(Superior Court Action No. 963-267.)

Passed for second reading.

Adopted

[Settlement of Claim, Lee Kyu Park]
Resolution approving the settlement of the unlitigated claim of Lee Kyu Park by payment of $25,729.95. (City Attorney)

File 48-96-12, Resolution No. 429-96

Adopted.

[Lease of Property at 1650 Mission Street]
Resolution authorizing a lease of real property at 1650 Mission Street for the Department of Social Services. (Real Estate Department)

File 64-96-3, Resolution No. 418-96

Adopted.

[Grant, Landmarks Preservation Advisory Board]
Resolution authorizing the Landmarks Preservation Advisory Board's Certified Local Government (C.L.G.) program located within the Planning Department to apply for funds from the National Historic Preservation Act Grant-in-Aid Subgrant program administered by the California State Office of Historic Preservation Funds of up to $25,000 foregoing reimbursement of indirect costs during fiscal year July 1, 1996 to June 30, 1997. (Supervisor Ammiano)

File 134-96-1, Resolution No. 434-96

Adopted.

[Grant-State, TDA Funds-Bicycle/Pedestrian Projects]
Resolution authorizing the Director of Public Works and the Executive Director of the Department of Parking and Traffic to execute documents necessary to apply for, accept and expend $477,372 of Transportation Development Act (TDA) Article 3 funds for bicycle and pedestrian projects and waiving indirect costs. (Department of Public Works)

File 148-96-2, Resolution No. 438-96

Adopted.

[Contract, DPH - University of Washington]
Resolution authorizing the Director of Public Health to execute a contract in the amount of up to $20,000 with the University of Washington to collect and submit San Francisco City and County Sexually Transmitted Disease/HIV prevention data, to the University of Washington for a study of the impact of health care reform on STD/HIV prevention activities, including an agreement to indemnify the University of Washington. (Department of Public Health)

File 172-96-9, Resolution No. 441-96

Adopted.

[Mutual Aid Agreement, Water Agencies]
Resolution authorizing the General Manager of the Public Utilities Commission to execute an updated Mutual Aid Agreement with other water agencies in the State Office of Emergency Services Region 2. (Public Utilities Commission)

File 172-96-13, Resolution No. 444-96

Adopted.

[San Francisco Affinity Phone Card Program]
Resolution authorizing the Chief Administrative Officer to enter into an operating and licensing agreement with Winston Taylor for the development and operation of the San Francisco Affinity Phone Card Program and implementation thereunder. (Supervisor Bierman)

File 186-96-3, Resolution No. 446-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Shelley, Teng, Yaki - 7.

Absent: Supervisors Hsieh, Kennedy, Leal - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

[General Assistance Grant, FY 1996-97]
Ordinance amending Administrative Code (General Assistance Ordinance) to suspend a scheduled cost of living adjustment for general assistance clients. (Supervisor Kennedy)

File 97-96-25, Ordinance No. 196-96

(Amends Section 20.57.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 6.

Noes: Supervisors Alioto, Ammiano - 2.

Absent: Supervisors Hsieh, Leal - 2.

Recommendation of Housing and Land Use Committee

Consideration Continued

[Liquor License/1745 Folsom Street]
Resolution determining that the issuance of a Type 20 Off-Sale Beer and Wine License to Jennifer Kitchen for Rainbow Grocery, located at 1745 Folsom Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-10, Resolution No.

(April 29, 1996 - Consideration continued to May 20, 1996.)

On behalf of Supervisor Leal, Supervisor Kaufman, seconded by Supervisor Ammiano, moved to continue consideration to June 10, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Fire Department]
Ordinance appropriating $1,984,126, Fire Department, from the General Fund Reserve for salaries, fringe benefits, services of other departments (Workers Compensation) and facilities maintenance for fiscal year 1995-96. (Controller)

File 101-95-76, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Appropriation, Fire Department]
Ordinance appropriating $43,966, Fire Department, of Fire Plan Checking Revenue for the purchase of computer equipment for fiscal year 1995-96. (Controller)

File 101-95-77, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Settlement of Airport Claims/Legal Proceedings]
Ordinance amending Administrative Code, authorizing the Airports Commission upon the recommendation of the City Attorney to settle or dismiss any legal proceeding involving construction contract, property or matter under its jurisdiction and which does not exceed $100,000 and also authorizing the City Attorney, with the consent of the Airports Commission, to settle or dismiss the above Airport claims or demands not exceeding $100,000. (Airports Commission)

File 97-96-26, Ordinance No.

(Adds Sections 10.25-10 and 10.25-11.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Recess

Supervisor Kaufman, seconded by Supervisor Teng, moved that the Board recess this meeting to convene a special meeting to consider adopting findings in connection with the following item relating to a revised schedule of water rates. (See infra for Board action.)

No objection and motion carried.

The Board, at the hour of 2:20 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 2:22 p.m., reconvened its regular session.

Adopted

[Disapproving Revised Water Rates, S.F./Suburban Areas]
Resolution disapproving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas. (Public Utilities Commission)

File 142-96-1.2, Resolution No. 436-96

(Filed April 24, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Consideration Continued

[ABAG Finance Authority Membership]
Resolution approving, authorizing and directing the execution and delivery of a Joint Exercise of Powers Agreement relating to the ABAG Finance Authority for Nonprofit Corporations, acknowledging and approving the by-laws thereof (including an indemnity contained therein), appointing a representative to the governing board thereof, authorizing the Board of Supervisors or the Mayor's Office to hold public hearings required by Section 147(f) of the Internal Revenue Code of 1986 in connection with projects to be located within the City and finance by the ABAG Finance Authority for Nonprofit Corporations, and designating either the Board of Supervisors or the Mayor as the applicable elected representative for purposes of Section 147(f) of the Internal Revenue Code of 1986. (Supervisors Kaufman, Hsieh, Bierman, Teng)

File 241-96-1, Resolution No.

Supervisor Kaufman, seconded by Supervisor Teng, moved to continue consideration to May 28, 1996, and that a public hearing be held at 3:00 p.m.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

Consideration Continued

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that a reclassification from a P (Public) to an NC-3 (Moderate-Scale Neighborhood Commercial) District, conversion of a vacant, approximately 185,000 gross square foot office building to a school for students from pre-kindergarten through twelfth grade (National Center for International Schools), demolition of existing structures and construction of a gymnasium, and provision of parking for 115 automobiles for the property located at 129 and 150 Oak Street and 289 Fell Street, Assessor's Block 833, Lots 3 and 15 and Assessor's Block 837, Lots 18, 19 and 20, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Supervisors Kaufman, Hsieh, Bierman, Teng)

File 241-96-2, Resolution No.

Supervisor Kaufman, seconded by Supervisor Teng, moved to continue consideration to May 28, 1996, and that a public hearing be held at 3:00 p.m.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[TEFRA AND NCIS Project Approval]
Resolution approving the execution and delivery of not to exceed $22 million aggregate principal amount of certificates of participation for the financing of the National Center for International Schools Project; companion measure to File 241-96-2. (Supervisors Kaufman, Hsieh, Bierman, Teng)

(May 31, 1996 - A public hearing notice was published in connection with this item.)

File 241-96-3, Resolution No.

Supervisor Kaufman, seconded by Supervisor Teng, moved to continue consideration to May 28, 1996, and that the public hearing be held at 3:00 p.m.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Amendment to MOU, Local 856]
Ordinance amending Ordinance No. 219-95 to implement the provisions of an arbitration award between the Teamsters Local 856 and the City and County for the period July 1, 1996 through June 30, 1998. (Department of Human Resources)

File 93-95-33.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Adopted

[CCSF v. Portsmouth Plaza Parking Corporation]
Resolution approving the settlement of the unlitigated claim of the City and County against the Portsmouth Plaza Parking Corporation in the amount of $544,476. (City Attorney)

File 49-96-1, Resolution No. 430-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Passed for Second Reading

[Approving Portsmouth Square Parking Garage Lease Amendment] Ordinance approving a second amendment to the Portsmouth Square Public Parking lease between the City and County and the San Francisco Portsmouth Plaza Parking Corporation, which provides for quarterly rather than annual payments of rent, and strengthens the City's termination rights under the lease; companion measure to File 49-96-1. (Supervisor Ammiano)

File 47-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease, New Main Library, 100 Larkin Street]
Ordinance authorizing and approving the lease of space in City-owned property at 100 Larkin Street, consisting of a portion of the lowest floor to Robin Boley-Alvarez and Francois Alvarez commencing April 18, 1996. (Real Estate Department)

File 65-96-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Sexual Harassment]
Ordinance amending Administrative Code, to prohibit discrimination and sexual harassment of city employees and members of the public. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Shelley)

File 97-96-18, Ordinance No.

(Amends Sections 12B.1 and 12B.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

In connection with the above item, Supervisors Kaufman, Shelley requested to be added as co-sponsors.

Adopted

[State Grant, Integrated Pest Management Project]
Resolution authorizing the Director of the Department of Public Works to accept a one-year, $20,000 grant contract, renewable for up to two additional years, with the California Department of Pesticide Regulation, which requires the City to indemnify the State from claims in connection with the performance of the contract. (Supervisor Shelley)

File 148-95-7.1, Resolution No. 421-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Grant, Summer Food Service Program]
Resolution authorizing the Mayor to retroactively apply for, accept and expend $777,564 from the United States Department of Agriculture (USDA) to sponsor the Summer Food Service Program for needy children. (Supervisor Shelley)

File 68-96-3, Resolution No. 432-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Official Newspapers for Fiscal Year 1996-97]
Resolution designating the San Francisco Examiner to be official newspaper of the City and County for specified categories of advertising, and designating the San Francisco Independent to be the official newspaper for other specified categories of official advertising, commencing July 1, 1996. (Purchasing Department)

File 112-96-1, Resolution No. 433-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Federal Grant, Track Rehabilitation Project]
Resolution rescinding Resolution 778-93, authorizing the Executive Director of the Port to retroactively apply for, accept and expend $2.4 million from the Federal Highway Administration for the Track Rehabilitation Project on the Peninsula Corridor Mainline and releasing $619,500 of reserved funds for the purchase and installation of the Digicon Signalization System. (Port)

File 144-96-1, Resolution No. 437-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Standards and Training, Local Corrections]
Resolution authorizing the Sheriff's Department, Adult Probation Department, and Juvenile Probation Department to apply for, accept and expend $317,285 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections; waiving any indirect costs. (Sheriff)

File 152-96-1, Resolution No. 439-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Contract, DPH - University of Texas Medical Branch]
Resolution authorizing the Director of Public Health to retroactively enter into a subcontract in the amount of $10,847 with the University of Texas Medical Branch at Galveston, the primary contractor, to provide reports and information for a study of Host Lymphocyte Resistance to HIV-1, including an agreement to indemnify the University of Texas Medical Branch at Galveston. (Department of Public Health)

File 172-96-8, Resolution No. 440-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Prevailing Wage Requirements]
Resolution exempting from the prevailing wage provisions of Charter Section 7.204 the contract between the City and the San Francisco Conservation Corps to provide fire hazard reduction activities for the Water Department. (Supervisors Ammiano, Teng)

File 172-96-10, Resolution No. 442-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Contract Modification, Breda Costruzioni]
Resolution authorizing, retroactively, the Municipal Railway to modify an existing contract with Breda Costruzioni Ferroviarie S.p.A. (Public Transportation Commission)

File 172-96-12, Resolution No. 443-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Food Stamp Trafficking Agreement Extension]
Resolution authorizing the District Attorney, Food Stamp Task Force Division, to amend an existing agreement with the State of California Social Services, to include and extend the terms of the agreement beginning May 1, 1994 through December 31, 1996, to investigate food stamp trafficking. (District Attorney)

File 172-96-15, Resolution No. 445-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

(Supervisor Ammiano dissenting in Committee.)

[Final Neg Dec, Pier 38 Maritime Recreation Center]
Resolution adopting Final Negative Declaration, finding and determining that the proposed Pier 38 Maritime Recreation Center (on the Embarcadero between Brannan and Townsend Streets) will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Port Commission)

File 65-96-2, Resolution No. 431-96

(Final Negative Declaration issued on 2/2/95, as amended.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Kaufman, Shelley, Teng, Yaki - 6.

Noes: Supervisors Ammiano, Kennedy - 2.

Absent: Supervisors Hsieh, Leal - 2.

From Government Efficiency and Labor Committee
Without Recommendation

Passed for Second Reading

[Lease Agreement, Pier 38 Maritime Recreation Center]
Ordinance approving Lease Agreement as amended between Carl Ernst, Jr. and Pier 38 Maritime Recreation Center, Inc. and the City and County operating by and through the Port Commission for a Maritime Recreation Center at Pier 38 (on the Embarcadero between Townsend and Brannan Streets) and requiring the Port to report back to the Board of Supervisors regarding the base rent terms for the dining space at the end of the tenth year of the proposed lease and any reduction in percentage rents during the term of the lease and requiring capital improvement expenditures to be made on Maritime Facilities prior to or contemporaneous with restaurant or other related recreation facilities; companion measure to File 65-96-2. (Port Commission)

File 65-96-2.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Kaufman, Shelley, Teng, Yaki - 6.

Noes: Supervisors Ammiano, Kennedy - 2.

Absent: Supervisors Hsieh, Leal - 2.

The President resumed the Chair.

COMMITTEE REPORTS

Recommendations of Economic Vitality and Social Policy Committee

Passed for Second Reading

[Street Acceptance]
Ordinance accepting the roadway of Waterville Street from Silver Avenue to Conkling Street, from curb to curb for maintenance. (Supervisor Kennedy)

File 9-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Adopted

[Waterville Street Improvements]
Resolution urging the Chief Administrative Officer to direct the Director of the Department of Public Works to determine the costs necessary to improve the unimproved portions of Waterville Street south of Conkling and to request a supplemental appropriation from the capital improvement budget to undertake those improvements. (Supervisor Kennedy)

File 9-96-1.1, Resolution No. 427-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Passed for Second Reading

[Release of Lien and Forgiveness of Debt]
Ordinance forgiving debt for unpaid water charges which includes interest and penalties owned by Booker T. Washington Community Service Center and authorizing and directing City officers and employees to expunge lien for those charges on property known as Booker T. Washington Community Service Center at 800 Presidio. (Supervisors Kennedy, Bierman, Teng)

File 3-96-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[Home Delivery Services]
Ordinance amending the Police Code by adding Section 3305.1 thereto, making it unlawful to refuse home delivery services to a residential address located within the business' normal delivery range with specified exceptions. (Supervisors Kennedy, Bierman, Teng)

File 121-96-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Eula Walters, save Ferry Park;
Eladio J. Ballestas, Innovative Housing;
Alexandra Apley, Innovative Housing;
Loretta Ingraham, Innovative Housing;
Cynthia Montero, Innovative Housing;
Constance Kuruppu, Innovative Housing;
Leboriae P. Smoore, police brutality;
Tanya Twyman, Stand for Children Day;
Cynthia Burnett, Innovative Housing;
John W. Templeton, Our Roots Run Deep exhibit and street banners;
Sarah, Innovative Housing;
Jesus Gumban, discrimination in housing.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclaiming Stand For Children Day]
Resolution supporting the Children's Defense Fund's "Stand For Children" Day and declaring June 1, 1996 as "Stand For Children Day" in San Francisco. (Supervisors Teng, Alioto, Bierman, Kennedy, Yaki)

File 4-96-12, Resolution No. 423-96

(May 13, 1996 - Introduced in Board for consideration on May 20, 1996.)

Adopted.

In connection with the above item, Supervisors Kennedy, Yaki requested to be added as co-sponsors.

[Commending Joseph W. Cotchett, Jr.]
Resolution commending Joseph W. Cotchett, Jr. for his many contributions to the legal profession and to his community. (Supervisors Shelley, Kaufman, Alioto, Bierman, Yaki)

File 6-96-71, Resolution No. 424-96

(May 13, 1996 - Introduced in Board for consideration on May 20, 1996.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[State Legislation-Opposing AB 2167]
Resolution opposing Assembly Bill 2167, which would take $87 Million in state funds from the San Francisco budget. (Supervisors Hsieh, Kennedy, Alioto, Bierman, Kaufman)

File 12-96-26, Resolution No. 428-96

(May 13, 1996 - Introduced in Board for consideration on May 20, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Federal Legislation-Opposing HR 3396]
Resolution opposing House Resolution 3396 (Barr) that would create a federal definition of marriage that only includes heterosexual couples and would prevent the federal government from recognizing legal same-sex marriages. (Supervisors Alioto, Ammiano, Yaki, Leal, Bierman, Shelley, Kaufman)

File 13-96-20, Resolution No. 447-96

(May 13, 1996 - Introduced in Board for consideration on May 20, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Local Emergency, Needle Exchange Program]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman)

File 30-96-1.9

(May 13, 1996 - Introduced in Board for consideration on May 20, 1996.)

Adopted.

[Specifications for City Seal and Flag]
Motion requesting the Clerk of the Board to take the necessary steps to prepare and submit to the Board of Supervisors recommendations for the establishment of official specifications for the Seal of the City and County of San Francisco, other officials' seals, and city and county flags and any appropriate models thereof, and requesting the Clerk submit a request for a supplemental appropriation of $5,000. (Supervisor Ammiano)

File 54-96-4

(May 13, 1996 - Introduced in Board for consideration on May 20, 1996.)

Adopted.

[Final Map, 1149 Jackson Street]
Motion approving final map of 1149 Jackson Street, a Condominium Project, being a resubdivision of Lot 19B in Assessor's Block 189, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-13

(May 13, 1996 - Introduced in Board for consideration on May 20, 1996.)

Adopted.

[Final Map of Stoneridge, 1750 Geneva Avenue]
Motion approving amended map of Stoneridge, 1750 Geneva Avenue, a Condominium Project, being a resubdivision of Lots 130-135 in Assessor's Block 6423, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-14

(May 13, 1996 - Introduced in Board for consideration on May 20, 1996.)

Adopted.

[Final Map Bayshore Hester Heights]
Motion approving final map of Bayshore Hester Heights, a Planned Unit Development, being a merger and resubdivision of Bayshore/Hester Unit 1 (41 PM 70) in Assessor's Block 5054A, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Shelley, Kaufman)

File 58-96-15

(May 13, 1996 - Introduced in Board for consideration on May 20, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-21, Resolution No. 422-96

(Mabel Teng, Member, Board of Supervisors, June 17 and June 26 - July 7; Hatsuro Aizawa, Commissioner, Asian Art Museum, May 13 - 17; James M. Gerstley, Commissioner, Asian Art Museum, May 18 - June 14; Sandra R. Hernandez, M.D., Director, Public Health, May 17 - 18 and September 9 - 12; Willis Kirk, Commissioner, Art Commission, May 11 - 18; Leopold Korins, Member, Retirement System Board, May 10 - June 3; Richard Newirth, Director of Cultural Affairs, Art Commission, June 5 - 10; Marjorie Seller, Commissioner, Asian Art Museum, May 11 - 20, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

[Imperative Resolutions]

Adopted

[Commend Herb Caen]
Resolution urging the Mayor to urge the Port Commission to honor Herb Caen by naming the bay front promenade along the Embarcadero after Herb Caen.

File 006-96-072, Resolution No. 420-96

Supervisors Shelley, Kaufman, Yaki, Teng, Bierman, Kennedy, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

[Commend Henry Der]
Resolution commending Henry Der and declaring May 23, 1996 Henry Der Day in San Francisco.

File 006-96-073, Resolution No. 425-96

Supervisors Teng, Shelley, Bierman, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

[Taekwondo Friendship Tournament]
Resolution commending the Pacific Association of the Amateur Athletic Union for sponsoring the Taekwondo Friendship Tournament, qualifying event for the 1996 Junior Olympics.

File 006-96-074, Resolution No. 426-96

Supervisors Yaki, Shelley, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, DPW, Mission Street Lighting]
Ordinance appropriating $50,000, Department of Public Works, for Mission Street lighting and rescinding $50,000 from street resurfacing project gas tax fund. Supervisor Bierman presented on behalf of Supervisor Leal. Referred to Budget Committee.

File 101-95-087.

[City Contracts Domestic Partner Benefits]
Draft ordinance amending Administrative Code Sections 12B.1, 12B.2, 12C.1 and 12C.2 to require every agency contracting with the City and County to offer the same benefits to the domestic partners of its employees where the domestic partnership relationship has been filed with a governmental body, as it offers to the spouses of its employees. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 097-96-033.

[Seismic Safety Loan Program]
Ordinance amending Administrative Code Sections 66A.3, 66A.9, 66A.17, 66A.19, 66A.22 and 66A.23 regarding permissible loan packagers, permissible life/safety improvement costs, payment of financial consultant fees, applicability of base wage requirements, applicability of prevailing wage requirements and applicability of economically disadvantaged hire requirements. Supervisor Kaufman presented on behalf of Supervisor Hsieh. Referred to Budget Committee with request it be considered at the May 29, 1996 meeting.

File 097-96-034.

Referred to Board

[CCPPSS Member Appointments]
Resolution specifying that 10 of the 11 members of the Comprehensive Community Policing and Public Safety Strategy (CCPPSS) Task Force shall be residents of those areas that correspond to the 10 existing geographical police districts and that the CCPPSS shall be eligible to receive and disburse funds. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar May 28, 1996.

File 174-95-006.01.

[Commend Enid Lim]
Resolution commending Enid Lim and declaring June 14, 1996 Enid Lim Day in San Francisco. Supervisors Teng, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 28, 1996.

File 006-96-075.

[Commend Willie B. Kennedy]
Resolution commending Willie B. Kennedy for her service on the Board of Supervisors and for her service to the people of the City and County of San Francisco. Supervisors Shelley, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 28, 1996.

File 006-96-076.

[Commend Little League Baseball]
Resolution supporting Little League Baseball in San Francisco. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 28, 1996.

File 006-96-077.

[Amendments to the Older Californians Act]
Resolution supporting the assurance that priority consideration be given to target funding and services to those in greatest economic or social need, with particular attention to low-income, non-or-limited-English speaking populations, minority populations, and the frail elderly; the assurance of funding factors for those in greatest economic or social need, with particular attention to low-income non-or limited-English speaking populations, minority populations, and the frail elderly; the assurance of adequate funding for the Ombudsman program and the retention of state Ombudsman office; the assurance of adequate funding for the development and enhancement of the home and community-based system care; the maintenance of congregate nutrition programs as an entitlement; and the maintenance of the HICAP program in the amendments to the Older Californians Act. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 28, 1996.

File 012-96-027.

[State Legislation - SB 1696]
Resolution supporting Senate Bill 1696 (Kopp) that seeks to reduce the manufacture and sale of portable aerosol paint cans and encourages the development of new technologies to reduce graffiti. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 28, 1996.

File 012-96-028.

Referred to Committee

[Domestic Partners]
Resolution urging the California Legislature to amend Health and Safety Code Section 7100 to allow Domestic Partners the right to control the disposition of a deceased Domestic Partner's remains. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 012-96-029.

Referred to Board

[Same-Sex Marriage]
Resolution urging the United States Congress and the President of the United States, to veto the "Defense of Marriage Act", and for the President to reconsider his opposition on same-sex marriage. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 28, 1996.

File 013-96-020.01.

[Subsidized Mortgage Loans and Section 8 Housing]
Resolution opposing recent changes in federal law regarding subsidized mortgage loans and Section 8 housing. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 28, 1996.

File 013-96-021.

Referred to Committee

[Stop Intersection, Clay and Locust Streets]
Resolution designating Clay Street and Locust Street as an All-Way "Stop" Intersection. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 018-96-009.

Referred to Board

[Newspaper Merger]
Resolution urging the District Attorney and the City Attorney to use all of the powers granted to them under California law and the City Charter to fully investigate any proposed merger or discontinuation of one of San Francisco's daily newspapers as a possible violation of California anti-trust law and to take appropriate legal action. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 28, 1996.

File 112-96-003.01.

Referred to Committee

[Affordable Housing General Obligation Bonds]
Resolution determining and declaring that the public interest and necessity demand the financing of (1) the development of housing affordable to low-income households in the City and County of San Francisco and (2) down payment assistance to low and moderate income first time homebuyers and all other aspects necessary or convenient for the foregoing purposes, that the estimated cost of $100,000,000 is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. Supervisor Bierman presented. Referred to Budget Committee.

File 170-96-006.

[General Obligation Bonds - De Young Museum]
Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of a new museum facility to replace the De Young Museum and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of $73,300,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. Supervisors Shelley, Hsieh, Bierman, Alioto, Yaki, Kennedy, Teng, Kaufman, Ammiano presented. Referred to Budget Committee.

File 170-96-007.

[Automated Victim Notification Program]
Resolution urging the Mayor to urge the Sheriff to take the necessary steps to implement an automated victim notification program known as the VINE System at the earliest possible time. Supervisors Kaufman, Alioto, Leal, Shelley presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the June 6, 1996 meeting.

File 195-96-002.

Charter Amendments:

Referred to Committee

[Charter, Juvenile Probation Commission]
Charter amendment (First Draft) amending Sections 7.102 and 15.105 to provide that appointees to the Juvenile Probation Commission serve at the pleasure of the Mayor. Supervisors Yaki, Ammiano, Kennedy, Bierman, Teng presented. Referred to Rules Committee.

File 248-96-001.

[Charter, Board of Supervisors Compensation]
Charter amendment (First Draft, Skeletal) amending Section 2.100 to increase compensation for members of the Board of Supervisors to an annual amount of $50,000 and fully include members of the Board of Supervisors under both the Health Service and Retirement Systems. Supervisor Ammiano presented. Referred to Rules Committee.

File 249-96-001.

[Charter, At-large Election, Preference Voting]
Charter amendment (First Draft, Rough) amending Sections 2.100 and 2.116 and adding Section 13.110 to provide for the at-large election of 11 supervisors using preference voting. Supervisor Ammiano presented. Referred to Rules Committee.

File 250-96-001.

[Charter, District Election, Preference Voting]
Charter amendment (First Draft, Rough) amending Sections 2.100, 2.116, 13.101, 13.102 and 14.103 and adding Section 13.110 to provide for the election of 11 (eleven) supervisors from 11 (eleven) districts, how the President of the Board is elected. Supervisor Ammiano presented. Referred to Rules Committee.

File 251-96-001.

[Charter, Collective Bargaining]
Charter amendment (First Draft, Skeletal) amending or deleting Sections 19.100-11.101, 15.104, 16.116, 18.109, 18.110 and Sections A8.329-A8.346, A8.400-A8.440, A8.450-A8.590-7 of Appendix A, relating to setting wages, hours and other terms and conditions of employment. Supervisor Shelley presented. Referred to Rules Committee.

File 252-96-001.

[Charter, Firefighters Retirement Benefits]
Charter amendment (First Draft, Skeletal) amending Charter by adding Section 8.506-5 relating to retirement benefits for firefighters. Supervisor Shelley presented. Referred to Rules Committee.

File 253-96-001.

Requests for Hearings:

[Reserved Funds, Department of Social Services]
Hearing to consider release of reserved funds, Department of Social Services (1995/96 Budget), in the amount of $410,000 to fund moving expenses and other costs associated with the relocation of Family and Children's Services Staff from 1440 Harrison to 170 Otis Street. Supervisor Kaufman presented on behalf of Supervisor Hsieh. Referred to Budget Committee with request it be considered at the May 29, 1996 meeting.

File 100-95-001.06.

[High School Athletic Fields]
Hearing to consider the possible use of San Francisco high school athletic fields by the Recreation and Park Department during the summer. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 211-96-004.

[Funding Disparity, Asian Nonprofit Agencies]
Hearing to study the funding level for Asian nonprofit agencies. Supervisor Teng presented. Referred to Government Efficiency/Labor Committee.

File 254-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 009-96-002. [Acceptance of Roadway, Waterville Street] Ordinance accepting the roadway of Waterville Street from Silver Avenue to Conkling Street, from curb to curb for maintenance; companion measure to File 9-96-1.1. (DPW Order No. 169,697). (Department of Public Works) Referred to Economic Vitality/Social Policy Committee.

File 045-96-031. [Therese Warde et al., v. CCSF, et al] Ordinance authorizing settlement of litigation of Therese J. Warde, Mary Clarke, John Clarke, and Matthew Clarke against the City and County of San Francisco by payment of $200,500. (Superior Court No. 963-673). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-96-009. [Lease, Bay Area Cellular Telephone Company] Ordinance authorizing and approving a lease of cellular transmitter space in Fire Department Headquarters Building, 260 Golden Gate Avenue, to Bay Area Cellular Telephone Company (BACTC). (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 093-94-029.02. [MOU Amendment, SEIU Locals 250, 535 and 790] Ordinance amending Ordinance No. 341-94 to implement an amendment to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535, and 250 and the City and County of San Francisco

increasing compensation for Classifications 9202 Airport Communications Dispatcher and 9203 Senior Airport Communications Dispatcher to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-96-032. [Environmental Review Fees] Ordinance amending Administrative Code by amending Section 31.46A, to extend the September 30, 1996 Sunset Clause to September 30, 1997, and adjust fees currently charged for Environmental Review actions, activities, and procedures; companion measure to File 115-96-6. (Department of City Planning) (Exempt Status: Statutory Exemption per Public Resource Code Section 21080(b)(8). Referred to Budget Committee.

File 101-95-082. [Appropriation, PTC - Municipal Railway] Ordinance appropriating $4,943,173, Municipal Railway, of Municipal Railway Operating Funds (fare and subvention revenue, fund balance and rescinding fringe benefits) to fund projected shortfalls in Workers' Compensation and fuel for fiscal year 1995-96. RO #95212. (Controller) Referred to Budget Committee.

File 101-95-083. [Appropriation, Public Library] Ordinance appropriating $2,500,000, Public Library, for salaries ($1,552,242 of Library Preservation Funds and $947,758 of General Funds), rescinding $50,000 from General Fund materials and supplies, $500,000 from books and $50,000 from materials and supplies in the Library Preservation Fund to address the projected budget shortfall for fiscal year 1995-96. RO #95213. (Controller) Referred to Budget Committee.

File 101-95-084. [Appropriation, Assessor's Office] Ordinance amending the 1995-96 Annual Appropriation Ordinance, Assessor's Office, by appropriating $656,083 of AB 818 State Loan Revenue, $373,673 of prior Assessor's system project surplus and $2,302,886 from General Fund reserve (established from 1994-95 one-time accounting adjustment) to a project to provide an Integrated Assessor's Property Tax system (INPACT) including salaries and fringe benefits for two new staff positions, equipment services of other departments (ISD) and professional services, with the intent that the General Fund be paid back $1,300,000 from additional State Loan Revenue over the next two years; companion measure to File 102-95-21. RO #95215. (Controller) Referred to Budget Committee.

File 101-95-085. [Appropriation, PUC-Hetch Hetchy] Ordinance appropriating $1,000,000, Public Utilities Commission-Hetch Hetchy, of Hetch Hetchy operating funds to a capital improvement project for the emergency repair of the O'Shaughnessy Dam road at Hetch Hetchy for fiscal year 1995-96. RO #95216. (Controller) Referred to Budget Committee.

File 101-95-086. [Appropriation, Recreation and Park Department] Ordinance appropriating $80,000, Recreation and Park Department, from the General Fund Reserve to professional services, to provide consulting services at the Recreation and Park Department to assist with the preparation of FEMA applications concerning storm damage for fiscal year 1995-96. RO #95217. (Controller) Referred to Budget Committee.

File 102-95-021. [Salary Ordinance Amendment, Assessor's Office] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Assessor's Office, reflecting the creation of two (2) positions (Classification 1821 MIS Manager (1); and 1819 MIS Specialist III (1)); companion measure to File 101-95-84. (Department of Human Resources) Referred to Budget Committee.

File 115-96-006. [Planning Fees] Ordinance amending Article 3.5 and Article 3.5A of the City Planning Code by amending Sections 350 et seq. to extend the September 30, 1996 Sunset Clause to September 30, 1997, impose new fees and adjust fees currently charged for Department of City Planning actions, activities, and services; companion measure to File 97-96-32. (Department of City Planning) (City Planning Resolution No. 14114, adopted 5/9/96). Referred to Budget Committee.

Resolutions Referred to Committee

File 009-96-001.01. [Waterville Street Improvements] Resolution urging the Chief Administrative Officer to direct the Director of the Department of Public Works to determine the costs necessary to improve the unimproved portions of Waterville Street south of Conkling and to request a supplemental appropriation from the capital improvement budget to undertake those improvements. (Department of Public Works) Referred to Economic Vitality/Social Policy Committee.

File 025-96-008. [Prop J Contract, Security Services] Resolution concurring with the Controller's certification that security services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 025-96-009. [Prop J Contract, Janitorial Services] Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 040-96-010. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-011. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-96-014. [Settlement of Claim, Michael J. Freeman] Resolution approving the settlement of the unlitigated claim of Michael J. Freeman by payment of $9,195.45. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-015. [Settlement of Claim, David Puente] Resolution approving the settlement of the unlitigated claim of David Puente by payment of $7,500.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-016. [Settlement of Claim, Farmers Insurance Group] Resolution approving the settlement of the unlitigated claim of Farmers Insurance Group by payment of $8,724.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-017. [Settlement of Claim, USAA Insurance] Resolution approving the settlement of the unlitigated claim of USAA Insurance by payment of $8,847.61. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-005. [Lease Renewal, Sixth/Harrison Streets Parking Lot] Resolution authorizing three renewal leases for parking lots located in the vicinity of Sixth and Harrison Streets described as SFX80-21, SFX80-22, and SFX80-23 for the Police Department and Sheriff retroactive to 9/1/95. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 170-96-003. [Water Revenue Bonds] Resolution approving the issuance of not to exceed $145,000,000 principal amount of San Francisco Water Revenue Bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the Indenture pursuant to which the Bonds are issued; and authorizing taking of appropriate actions in connection therewith. (City Attorney) Referred to Budget Committee.

File 170-96-004. [General Obligation Bonds Issuance] Resolution providing for the issuance of not to exceed $41,730,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Asian Art Museum Relocation Project) including the issuance of an initial series thereof in the aggregate principal amount of $25,000,000 and designated as the City and County of San Francisco General Obligation Bonds (Asian Art Museum Relocation Project), Series 1996E; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of funds related thereto; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Chief Administrative Officer) Referred to Budget Committee.

File 170-96-005. [General Obligation Bonds Sale] Resolution authorizing and directing the sale of $7,645,000 City and County of San Francisco General Obligation Bonds (Public Safety Improvement Projects, 1989), Series 1996B; $14,285,000 City and County of San Francisco General Obligation Bonds (Fire Department Facilities Project, 1992), Series 1996C; $42,300,000 City and County of San Francisco General Obligation Bonds (School District Facilities Improvements), Series 1996D and $25,000,000 City and County of San Francisco General Obligation Bonds (Asian Art Museum Relocation Project), Series 1996E; prescribing the form and terms of said Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of funds related thereto; approving the forms of Official Notice of Sale of Bonds and Notice of Intention to Sell Bonds; directing the publication of Notice of Sale and Notice of Intention to Sell Bonds; approving the form and execution of the official statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds. (Chief Administrative Officer) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney prepare ordinance to repeal Colorado Products Ban (Administrative Code Article XXI, Sections 10.240-10.247).

By Supervisor Teng, that letter be sent to all departments who provide funding to community organizations/agencies requesting report on grant allocations given to nonprofit organizations that service the Asian Pacific Islander communities. File 254-96-1.

By Supervisor Yaki, that City Attorney prepare ordinance pursuant to Charter Section 7.204 to permit a three percent bid preference in contracts for professional services where the bidder agrees to use locally manufactured, assembled or sourced products.

By Supervisors Yaki, Ammiano that City Attorney prepare ordinance which will provide legal protections for workers displaced when one service contractor loses a contract to another service contractor (enacts base-line job security protections for workers employed in sub-contracting industries; i.e., janitorial, security, garment, food services, etc.) The legislation should require all such contractors with the City and County to retain the employees of the predecessor contractor for at least a ninety day transition period during which the employees may not be terminated except for cause and provide wage and benefit protections for workers impacted by Proposition J (November 1976) exemptions for contracting-out.

By Supervisor Bierman, that letters be sent to the Department of Public Health and the City Planning Department requesting evaluation of cellular phone study done by Wireless Technology Research and report whether their findings indicate any need to warn the public of possible adverse effects from the use of digital cellular phones and whether City Planning regulations concerning the placement of cellular antennae should be amended to call attention to the potential adverse effects of digital phones on some members of the public.

By Supervisor Kennedy, that letter be sent to members of the House Appropriation Committee in support of fiscal year 1997 appropriations for the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) program and the HOME Investment Partnerships program at a level at least equal to the current fiscal year levels of $4.6 billion for CDBG and $1.4 billion for HOME.

By Supervisor Kennedy, that letter be sent to Ulysses Madison, Local 790, regarding the status of personnel issues at the Airport relating to treatment of employees and union representatives, sick leave policy, re-training and other employee rights. File 27-95-15.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Raymond Leal (By the entire Board)
Rubell Mitchell (Supervisor Kennedy)
Marcelee Cashmere (Supervisor Kennedy)
June Truesdell (Supervisor Bierman)

File 2-96-21

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:09 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 20, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:20 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Noted absent at first roll call:

Supervisors Hsieh, Leal - 2.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Leal excused. (See Supra.)

ROLL CALL

[Water Rates - Finding]
Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of proposed schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas. (Public Utilities Commission)

File 142-96-1, Resolution No. 435-96

(May 6, 1996 - Referred to Budget Committee with direction to report back May 20, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

ADJOURNMENT

There being no further business, the Board at the hour of 2:21 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 24, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Tuesday, May 28, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 22

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, May 28, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 8.

Noted absent at first roll call:

Supervisors Alioto, Kennedy - 2.

Quorum present.

Supervisor Alioto was noted present at 2:10 p.m.

Supervisor Kennedy was noted present at 2:10 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, May 6, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Kennedy - 2.

Farewell Statement from Supervisor Willie B. Kennedy

Supervisor Kennedy submitted the following departing statement:

"It is with sadness and mixed emotions that I resign from the office of Supervisor of the City and County of San Francisco. Maybe I should say as President Richard Nixon said, that you won't have Willie Kennedy to kick around anymore. But I can say it with a smile on my face, for in fact despite the harsh criticism and racist messages and statements I received throughout my fifteen years I have enjoyed them all.

I wish I could say that my career has been 100% successful, but I can't. However I can say and I believe that San Francisco is a better place to live because of the many changes I helped make and the people's lives I touched. Being a Supervisor is more than creating legislation. Although I did my share, it is interacting and helping the people you serve. There are a very few people that called my office with a problem that was not solved to their satisfaction. It has been a great pleasure serving the people.

I really must thank Mr. Taylor and the clerks, especially the committee clerks, who work so hard to keep us in line. We depend on Mr. Taylor so much to keep us straight that he sometimes forgets who is boss.

All of the City departments have been great, and Lord knows that I worried all of you enough. So thank you, Department of Social Services; Health; Department of Public Works; Purchasing; Public Utilities Commission; Parking and Traffic; City Attorney; Chief Administrative Officer; Police; Fire; Library; Controller; DeYoung Museum; Recreation and Park; Housing Authority and the Redevelopment Agency and of course the Mayors' Office. But you were always there, for you always came through with flying colors, for this I thank you. San Francisco is by far a better place to live because of your efforts.

Surprisingly, I have been able to work successfully with four Mayors, Dianne Feinstein who gave me the opportunity to serve; Art Agnos, Frank Jordan and most importantly, Willie Brown. All of them contributed to my growth.

Its so important that I thank the people of San Francisco for their faith and trust in me through three campaigns, and for allowing me to represent the City and County at the California State Association of Counties, the National Association of Counties and the National Forum of Black Public Administrators at their conferences and board meetings. This has made me a better and stronger public servant and the networking has proved invaluable.

I will miss serving as director of the Golden Gate Bridge District, Association of Bay Area Government Board, Bay Conservation and Development Commission and of course the Transportation Authority. They have all been excellent tools of the trade. Through all of these organizations I have made many wonderful friends.

Thanks to all of the businesses large and small, the corporations and individuals who were always there for me. All of you are a part of making San Francisco a better place to live and you made my job so much easier.

You know it would be hard to run a campaign without some help, so my thanks to Jim Jefferson, my treasurer for fifteen years, to Barbara Jefimoff who did most of my campaign reports and for Welton Flynn for keeping me straight with Uncle Sam. And the three persons who ran my successful campaigns, Mary O'Shea 1984; Gail Kaufman 1988; and Jim Wunderman in 1992.

Of course I could not leave without thanking all of my colleagues, and there were many; John Molinari, Quentin Kopp, Doris Ward, Nancy Walker, Carol Ruth Silver, Louise Renne, Harry Britt, Wendy Nelder, Richard Hongisto, Lee Dolson, Bill Maher, Jim Gonzalez, Terence Hallinan and Anne Marie Conroy, and all of you, the present Board of Supervisors. It has been a pleasure working with you, a lot different from the Board members I started with, but each of you represent the City and County in your own professional way. I'm leaving the Board in good hands.

Last but certainly not least, my staff, my backbone. Of the fifteen years I served, I had only ten excellent dedicated members of my staff: Avonee Smith, Dawn Burgess, Gayle Armstrong, Mary Kelley, Darryl Cox, Minnie Loo, Richard Nichols, Sharon Treskennoff, Gaynell again, Rhonda Parker and Jackie Keys. They all contributed to the success of the office.

How do you say thanks to a person who has been with you for almost ten years. Does it speak well for Gaynell or for me. I like to think a little of both. Thanks Gaynell for being a dedicated, capable, valuable and expert member of the team. I'm going to miss your telling me what to do, how to do it and then doing it yourself. Thanks for making me look good at all times. Good luck in your new job.

And Jackie, I'm going to miss your capable dedicated service in the office these past sixteen months. Although your personality upsets some people, your skills out weighed it all. Thank you for helping to make the 'Stand for Children' trip to Washington, DC a success. Without your untiring help it could never have happened. Thanks to you and all the volunteers from numerous non-profit agencies there will be more than 100 people leaving for DC on Friday. Thanks Jackie.

I'm leaving the Board of Supervisors to work as the administrator for the Transitional Development Corporation, so I won't be far away, and I will still be working to make San Francisco a better place to live.

To those of you who say good riddance, that she didn't do anything anyway, I love you too."

Presentation Made

After each Supervisor was afforded an opportunity to extend their best wishes to Supervisor Kennedy, President Shelley, on behalf of the entire Board, presented Supervisor Kennedy with a resolution commending her for her years of service to the people of the City and County of San Francisco. (See infra.)

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Fire Department]
Ordinance appropriating $1,984,126, Fire Department, from the General Fund Reserve for salaries, fringe benefits, services of other departments (Workers Compensation) and facilities maintenance for fiscal year 1995-96. (Controller)

File 101-95-76, Ordinance No. 198-96

Finally passed.

[Appropriation, Fire Department]
Ordinance appropriating $43,966, Fire Department, of Fire Plan Checking Revenue for the purchase of computer equipment for fiscal year 1995-96. (Controller)

File 101-95-77, Ordinance No. 199-96

Finally passed.

[Settlement of Airport Claims/Legal Proceedings]
Ordinance amending Administrative Code, authorizing the Airports Commission upon the recommendation of the City Attorney to settle or dismiss any legal proceeding involving construction contract, property or matter under its jurisdiction and which does not exceed $100,000 and also authorizing the City Attorney, with the consent of the Airports Commission, to settle or dismiss the above Airport claims or demands not exceeding $100,000. (Airports Commission)

File 97-96-26, Ordinance No. 216-96

(Adds Sections 10.25-10 and 10.25-11.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Amendment to MOU, Local 856]
Ordinance amending Ordinance No. 219-95 to implement the provisions of an arbitration award between the Teamsters Local 856 and the City and County for the period July 1, 1996 through June 30, 1998. (Department of Human Resources)

File 93-95-33.1, Ordinance No. 197-96

Finally passed.

[Mychelle Colleary v. CCSF, et al.]
Ordinance authorizing settlement of personal injury claim of Mychelle Colleary against the City and County and its employee Chinedu Elekwachi by payment of $15,000, each side to bear its own costs and attorneys' fees. (City Attorney)

File 45-96-22, Ordinance No. 202-96

(Superior Court No. 969-275.)

Finally passed.

[Tina Periera v. CCSF]
Ordinance authorizing settlement of litigation of Tina Periera against the City and County of San Francisco by payment of $6,000. (City Attorney)

File 45-96-23, Ordinance No. 203-96

(Superior Court No. 961-877.)

Finally passed.

[Mamaradlo v. CCSF]
Ordinance authorizing settlement of litigation of Virginia Mamaradlo and Manuel Mamaradlo against the City and County by payment of $90,000. (City Attorney)

File 45-96-24, Ordinance No. 204-96

(Superior Court No. 965-646.)

Finally passed.

[Eubank v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Jerry Eubank and Charles Eubank against the City and County by payment of $55,000. (City Attorney)

File 45-96-25, Ordinance No. 205-96

(Superior Court No. 958-994.)

Finally passed.

[U.S.A. (Davis) v. CCSF]
Ordinance authorizing partial settlement of litigation of U.S.A. (Davis) v. City and County, by payment of $195,875.00. (City Attorney)

File 45-96-26, Ordinance No. 206-96

(USDC, Northern District of California, Consolidated Cases Nos. C84-1100 MHP, C84-7089 MHP.)

Finally passed.

[Barnes Construction Co., Inc. v. CCSF et al.]
Ordinance authorizing settlement of litigation of Barnes Construction Co., Inc. against the City and County by payment of $15,000. (City Attorney)

File 45-96-27, Ordinance No. 207-96

(Superior Court No. 968-676.)

Finally passed.

[Joseph Nugent/Catherine Schoop v. CCSF et al.]
Ordinance authorizing settlement of litigation of Joseph Nugent and Catherine Schoop against the City and County by payment of $13,888.85. (City Attorney)

File 45-96-28, Ordinance No. 208-96

(Municipal Court No. 118698.)

Finally passed.

[Morley Shapiro v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Morley Shapiro against the City and County by payment of $40,000. (City Attorney)

File 45-96-29, Ordinance No. 209-96

(Superior Court No. 958-035.)

Finally passed.

[CCSF, v. Department of Health Services]
Ordinance authorizing settlement of litigation of the City and County against the State Department of Health Services, for approval of Medi-Cal reimbursement claims. (City Attorney)

File 46-96-7, Ordinance No. 210-96

(Superior Court No. 962-505.)

Finally passed.

[CCSF v. AVP Investments, et al.]
Ordinance authorizing settlement of litigation of City and County v. AVP Investments, et al. and the City's purchase of Assessor's Block 2336, Lot 27, for open space for $2,340,000. (City Attorney)

File 46-96-8, Ordinance No. 211-96

(Superior Court Action No. 963-267.)

Finally passed.

[Approving Portsmouth Square Parking Garage Lease Amendment] Ordinance approving a second amendment to the Portsmouth Square Public Parking lease between the City and County and the San Francisco Portsmouth Plaza Parking Corporation, which provides for quarterly rather than annual payments of rent, and strengthens the City's termination rights under the lease; companion measure to File 49-96-1. (Supervisor Ammiano)

File 47-96-3, Ordinance No. 212-96

Finally passed.

[Lease, New Main Library, 100 Larkin Street]
Ordinance authorizing and approving the lease of space in City-owned property at 100 Larkin Street, consisting of a portion of the lowest floor to Robin Boley-Alvarez and Francois Alvarez commencing April 18, 1996. (Real Estate Department)

File 65-96-6, Ordinance No. 214-96

Finally passed.

[Sexual Harassment]
Ordinance amending Administrative Code, to prohibit discrimination and sexual harassment of city employees and members of the public. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Shelley)

File 97-96-18, Ordinance No. 215-96

(Amends Sections 12B.1 and 12B.2.)

Finally passed.

Recommendation of Economic Vitality and Social Policy Committee

Finally Passed

[Street Acceptance]
Ordinance accepting the roadway of Waterville Street from Silver Avenue to Conkling Street, from curb to curb for maintenance. (Supervisor Kennedy)

File 9-96-2, Ordinance No. 201-96

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as stop intersections. (Supervisor Shelley)

File 18-96-6, Resolution No. 463-96

(Stop Signs - Establish
Sixteenth Avenue and Noriega Street (north), northeast corner, stopping Noriega Street traffic (presently an uncontrolled T-intersection).

Sixteenth Avenue and Noriega Street (south), southwest corner, stopping Noriega Street traffic (makes this an all-way stop.)

Sixteenth Avenue and Ortega Street, northeast and southwest corners, stopping Ortega Street traffic (makes this an all-way stop).

Eighteenth Avenue and Moraga Street, northwest and southeast corners, stopping Eighteenth Avenue traffic (makes this an all-way stop).

Second Avenue and Irving Street, northeast and southwest corners, stopping Irving Street traffic (makes this an all-way stop).

Beach and Jones Streets, northeast and southwest corners, stopping Beach Street traffic (makes this an all-way stop).

Clifford Terrace and Ashbury Street, northeast corners, stopping Clifford Terrace traffic (presently an uncontrolled T-intersection).

College Avenue and Murray Street, northwest and southeast corners, stopping College Avenue traffic (makes this an all-way stop).

Melrose Avenue and Teresita Boulevard, northeast corner, stopping Melrose Avenue traffic (presently an uncontrolled T-intersection).

Monterey Boulevard and Ridgewood Avenue, northeast and southwest corners, stopping Monterey Boulevard traffic (makes this an all-way stop).)

Adopted.

[Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-96-7, Resolution No. 464-96

(20-Minute Parking Time Limit, 4 p.m. - 6 p.m., School Days - Establish
Stockton Street, east side, between Pine and Emma Streets.

No Parking Anytime - Establish
Seventeenth Street, north side, from Treat Avenue to 40 feet westerly (40-foot zone).

No Parking, 9 a.m. - 6 p.m., Monday Through Friday - Establish
Holloway Avenue, north side, between Ashton Avenue and Beverly Street.

Unmetered Motorcycle Parking - Rescind
Nineteenth Avenue, west side, from 723 feet to 823 feet north of Holloway Avenue (100-foot zone to be relocated to accommodate new white zone).

Unmetered Motorcycle Parking - Establish
Nineteenth Avenue, west side, from 800 feet to 900 feet north of Holloway Avenue (100-foot zone).)

Adopted.

[Traffic Regulations, Various Locations]
Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-6, Resolution No. 465-96

No U-Turns - Establish
Market Street, westbound, at Valencia Street.

No Left Turn, 4 p.m. - 6 p.m., Except Sundays - Rescind
No Left Turn, 4 p.m. - 6 p.m., Except Sundays (Muni Excepted) - Establish
South Van Ness Avenue, northbound, at Sixteenth Street.

Tow-Away, No Stopping Anytime - Establish
Sutter Street, north side, between Market and Sansome Streets.

Tow-Away Lane Must Turn Right - Establish
Folsom Street, eastbound, at Fourth Street.

Tow-Away, No Stopping, 6 a.m. - 10 a.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 6 a.m. - 9 a.m., Monday Through Friday - Establish
Sixth Street, east side, between Bryant and Brannan Streets (change in effective hours only).)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Kennedy - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Economic Vitality and Social Policy Committee

Finally Passed

[Release of Lien and Forgiveness of Debt]
Ordinance forgiving debt for unpaid water charges which includes interest and penalties owned by Booker T. Washington Community Service Center and authorizing and directing city officers and employees to expunge lien for those charges on property known as Booker T. Washington Community Service Center at 800 Presidio.
(Supervisors Kennedy, Bierman, Teng)

File 3-96-1.1, Ordinance No. 200-96

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Alioto - 1.

[Home Delivery Services]
Ordinance amending the Police Code by adding Section 3305.1 thereto, making it unlawful to refuse home delivery services to a residential address located within the business' normal delivery range with specified exceptions. (Supervisors Kennedy, Bierman, Teng)

File 121-96-8, Ordinance No. 217-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

From Government Efficiency and Labor Committee
Without Recommendation

Finally Passed

[Lease Agreement, Pier 38 Maritime Recreation Center]
Ordinance approving Lease Agreement as amended between Carl Ernst, Jr. and Pier 38 Maritime Recreation Center, Inc. and the City and County operating by and through the Port Commission for a Maritime Recreation Center at Pier 38 (on the Embarcadero between Townsend and Brannan Streets) and requiring the Port to report back to the Board of Supervisors regarding the base rent terms for the dining space at the end of the tenth year of the proposed lease and any reduction in percentage rents during the term of the lease and requiring capital improvement expenditures to be made on maritime facilities prior to or contemporaneous with restaurant or other related recreation facilities. (Port Commission)

File 65-96-2.1, Ordinance No. 213-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Noes: Supervisor Ammiano - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, DPH-Mental Health/SFGH]
Ordinance rescinding $503,467, Mental Health, of Mental Health Professional Services and appropriating $117,638 to salaries and fringe benefits for the creation of eighteen (18) full time equivalent positions at Mental Health, and transferring and appropriating $308,726 for San Francisco General Hospital for salaries, fringe benefits, non-personal services, materials and supplies and equipment purchase for the creation of two hundred twenty-two (222) full time equivalent positions for the operation of the Mental Health Rehabilitation Facility for fiscal year 1995-96. (Controller)

File 101-95-78, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Salary Ordinance Amendment, DPH-Mental Health/SFGH]
Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Department of Public Health-Mental Health, reflecting the creation of eighteen (18) positions at Mental Health-Substance Abuse Services, and two hundred twenty-two (222) positions at San Francisco General Hospital for the operation of the Mental Health, rehabilitation facility for fiscal year 1995-96; companion measure to File 101-95-78. (Department of Human Resources)

File 102-95-19, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Appropriation, Assessor's Office]
Ordinance amending the 1995-96 Annual Appropriation Ordinance by appropriating $357,249, Assessor's Office, of AB 818 State Loan Revenue, for salaries, fringe benefits and equipment purchase for the creation of six (6) positions for staff support at the Assessor's Office, for the first year of a three-year project to reduce the assessment backlog. (Controller)

File 101-95-79, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Salary Ordinance Amendment, Assessor's Office]
Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Assessor's Office, reflecting the creation of six (6) positions; companion measure to File 101-95-79. (Department of Human Resources)

File 102-95-20, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Consideration Continued

[Summer Youth Employment Credit]
Ordinance amending Part III, Articles 12-A (the Payroll Expense Tax Ordinance) and 12-B (the Business Tax Ordinance) of the Municipal Code to provide for credits against those taxes for businesses hiring youths between the ages of 14 and 21 for the summer; and to provide that the provisions of these credits expire on December 31, 2001. (Supervisors Yaki, Leal, Ammiano, Bierman, Teng, Alioto, Kaufman, Kennedy, Shelley)

File 127-96-5, Ordinance No.

(Add Sections 906-C and 1005.7.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved to continue consideration to June 3, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

In connection with the above item, Supervisors Kennedy, Shelley requested to be added as co-sponsors.

Adopted

[Redevelopment Agency Budget and Bonds]
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1995-96 by increasing by $1,000,000 the Agency's expenditure for the South of Market Earthquake Recovery Redevelopment Project Area; approving the issuance of not to exceed $1,143,000 of Tax Allocation Bonds; and authorizing the Agency to increase its Annual Statement of Indebtedness by $98,069. (Supervisor Bierman)

File 161-95-6.1, Resolution No. 450-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Recommendations of Health, Public Safety and Environment Committee

Adopted

[California Civil Code]
Resolution urging the State Legislature to amend California Civil Code Section 1714.45 which provides certain immunity to tobacco manufacturers from product liability lawsuits filed in the State of California. (Supervisors Alioto, Leal, Yaki, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng)

File 12-96-22, Resolution No. 458-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Kennedy - 2.

Adopted as Amended

[Litigation, Tobacco Companies]
Resolution urging the City Attorney and District Attorney to institute litigation against the United States Tobacco Companies to recover the costs of caring for people with smoking-related illnesses. (Supervisors Alioto, Leal, Yaki, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Shelley, Teng)

File 194-96-1, Resolution No. 469-96

Supervisor Alioto, seconded by Supervisor Ammiano, moved an amendment of the whole entitled, "Resolution urging the City Attorney and District Attorney to institute litigation against the United States Tobacco Companies to recover the costs of caring for people with smoking-related illnesses."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Sidewalk Width Regulations, Bryant/Ninth/Brannan]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1522 changing the official sidewalk widths on the southeasterly side of Bryant Street between Ninth Street and 275 feet northeasterly of Ninth Street, on the northeasterly side of Ninth Street between Bryant and Brannan Streets, and on the northwesterly side of Brannan Street between Ninth Street and 275 feet northeasterly of Ninth Street, as shown on the Department of Public Works drawing labeled Q-20-418 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Kennedy - 2.

[Parking Authority]
Ordinance amending Administrative Code, which set forth certain powers and responsibilities of the Parking Authority that are no longer consistent with the San Francisco Charter, or Administrative Code, or current practice; to make those sections consistent with the powers and responsibilities vested in the Parking and Traffic Commission and which provide for certain powers and responsibilities of the Parking Authority consistent with the San Francisco Charter, the Administrative Code and current practice. (Department of Parking and Traffic)

File 97-96-28, Ordinance No.

(Repeals Sections 17.2-1, 17.2-2, 17.3, 17.4, 17.5, 17.9, 17.10, 17.14, 17.15, 17.19, and 17.22; amends Sections 17.1, 17.2, 17.6, 17.7, 17.8, 17.11, 17.16, 17.17, 17.18, 17.20, 17.21, and 17.23; adds Sections 17.3, 17.8, 17.11, 17.12, and 17.16.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Kennedy - 2.

Adopted

[Liquor License, 413/415 Geary Street]
Resolution determining that the issuance of a Type 64 on sale general - special theater alcoholic beverage license to Dianne M. Prichard for the American Conservatory Theater (A.C.T.), located at 413/415 Geary Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-17, Resolution No. 470-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Kennedy - 2.

[Liquor License, 1795 Geary Street]
Resolution determining that the issuance of a Type 42 on sale beer and wine license at 1795 Geary Street to Thomas Campbell-Reed will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-18, Resolution No. 471-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Kennedy - 2.

From Housing and Land Use Committee
Without Recommendation

(Only one of the following motions should be adopted.)

Consideration Continued

[Appeal, Sidewalk Encroachment, 818 Sanchez Street]
Motion denying the appeal of a decision of the Director of Public Works which granted the issuance of a minor sidewalk encroachment permit to occupy, construct and maintain within the unimproved portion of the public right-of-way fronting the property at 818 Sanchez Street the following four encroachments (1) low (less than 4' high) retaining walls, (2) concrete walk and steps with decorative pavers; (3) driveway with decorative pavers for egress and ingress to subject property; and (4) landscaping and irrigation; sustaining decision of the Director of Public Works and granting issuance of permit. (Housing and Land Use Committee)

File 24-96-2

Supervisor Bierman, seconded by Supervisor Teng, moved to continue consideration to June 17, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kennedy - 1.

[Encroachment Permit, 818 Sanchez Street]
Motion upholding the appeal of a decision by the Director of Public Works, which granted the issuance of a minor sidewalk encroachment permit to occupy, construct, and maintain within the unimproved portion of the public right-of-way fronting the property at 818 Sanchez Street the following four encroachments (1) low (less than 4' high) retaining walls, (2) concrete walk and steps with decorative pavers; (3) driveway with decorative pavers for egress and ingress to subject property; and (4) landscaping and irrigation and denying issuance of permit. (Housing and Land Use Committee)

File 24-96-2.1

Supervisor Bierman, seconded by Supervisor Teng, moved to continue consideration to June 17, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kennedy - 1.

Recommendations of Rules Committee

Passed for Second Reading

[Use of Surplus Campaign Funds]
Ordinance amending Administrative Code, to provide that individuals who cease to be a candidate for local office, or who fail to qualify as a candidate for local office, and who have unexpended campaign funds, may donate the unexpended funds to the General Fund of the City and County. (Supervisors Shelley, Teng)

File 97-96-29, Ordinance No.

(Amends Section 16.510.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Gun Control]
Ordinance amending Police Code, relating to the sale, lease or other transfer of firearms, firearm ammunition or firearm ammunition components. (Supervisors Shelley, Bierman, Leal, Yaki, Ammiano, Teng)

File 121-96-6, Ordinance No.

(Amends Sections 613.1 and 613.10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

In connection with the above item, Supervisors Yaki, Ammiano, Teng requested to be added as co-sponsors.

Adopted

[Appointments]
Resolution appointing members to the Delinquency Prevention Commission, for unexpired portion of a four-year term ending December 31, 1996. (Rules Committee)

File 92-95-28.2, Resolution No. 448-96

(Arnold Laub, vice Raymond L. Benson, deceased, Seat No. 21814;
Sharon Olivia Hoff, vice Eric Ciasullo, resigned, Seat No. 21816.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Appointment]
Resolution appointing member to the Telecommunications Policy Commission, for new two-year term ending February 1, 1998. (Rules Committee)

File 92-95-48, Resolution No. 449-96

(Byron Rhett, vice himself, Seat No. 21608, public-at-large, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Appointment]
Resolution confirming the appointment of Mary C. Dunlap, Interim Director of the Office of Citizen Complaints, as the permanent Director of the Office of Citizen Complaints. (Supervisors Ammiano, Alioto)

File 33-96-4, Resolution No. 466-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Appointments]
Resolution appointing members to the Sunshine Ordinance Task Force, for new two-year terms ending April 27, 1998. (Rules Committee)

File 92-96-21.1, Resolution No. 467-96

(Karl Olson, vice Elizabeth Pritzker, Seat No. 27101, must be attorney nominated by Society of Professional Journalists;
Bruce B. Brugmann, vice himself, Seat No. 27102, must be local journalist nominated by Society of Professional Journalists;
Charlotte P. Berk, vice herself, Seat No. 27104, must be nominee of the League of Women Voters;
Robert R. Planthold, vice himself, Seat No. 27105, must be disabled and have interest in citizen access/participation;
Sue Hester, vice herself, Seat No. 27106, must be member of the public with interest/experience in local government;
Landis Whistler, vice himself, Seat No. 27107, must be member of the public with interest/experience in local government;
Enrique Ramirez, vice himself, Seat No. 27109, must be member of the public experience in consumer advocacy;
Byron McQuarters, vice himself, Seat No. 27113, must be member of the public with interest/experience in local government;
David Pilpel, vice James Chaffee, Seat No. 27108, must be member of the public experienced in consumer advocacy;
Marilyn Smulyan, vice Kathryn L. Perry, Seat No. 27114, must be member of the public with interest/experience in local government.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Closed Session

Conference with City Attorney - Litigation
From the President

Adopted

Motion that the Board of Supervisors convene in closed session with City Attorney for the purpose of reviewing the (i) existing litigation of Williams v. San Francisco, U.S.District Court Nos. C96-0705 SBA and C96-1337 SBA, as permitted by Government Code Section 54956.9(a); (ii) as plaintiff, permitted by Government Code Section 54956.9(c); (iii) to further review the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as authorized by California Government Code Section 54956.9(c); (iv) as defendant because significant exposure to litigation exists pursuant to subdivision (b) (1) of Section 54956.9 regarding San Francisco's needle exchange program.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Tuesday, May 28, 1996

Recess

The Board recessed at the hour of 2:46 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 3:42 p.m., reconvened.

Calling the Roll

The following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Yaki - 8.

Noted absent:

Supervisors Alioto, Teng - 2.

Quorum present.

Supervisor Alioto was noted present at 3:47 p.m.

Supervisor Teng was noted present at 3:47 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney for the purpose of reviewing the (i) existing litigation of Williams v. San Francisco, U.S.District Court Nos. C96-0705 SBA and C96-1337 SBA, as permitted by Government Code Section 54956.9(a); (ii) as plaintiff, permitted by Government Code Section 54956.9(c); (iii) to further review the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as authorized by California Government Code Section 54956.9(c); (iv) as defendant because significant exposure to litigation exists pursuant to subdivision (b) (1) of Section 54956.9 regarding San Francisco's needle exchange program.

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to creation of the ABAG Finance Authority for Nonprofit Corporations, appointing its representatives and execution and delivery of a joint exercise of powers agreement; adoption of Final Negative Declaration in connection with creation of the National Center for International Schools at 129 and 150 Oak Street and 289 Fell Street; and approving the execution and delivery of not to exceed $22 million aggregate principal amount of certificates of participation for the financing of the National Center for International Schools Project.

File 241-96

The following message was read by a representative from the Chief Administrative Officer's office:

"Ladies and Gentlemen:

"The ABAG Finance Authority for Nonprofit Corporations or another joint exercise of powers agency (hereinafter referred to as the "Authority") proposes to provide for the execution and delivery of certificates of participation in the amount of up to $22,000,000 to assist the National Center for International Schools (hereinafter referred to as the "Corporation") in financing the acquisition and construction of, and improvements to, a five-story building and related improvements which will house

the offices of the Corporation and the campuses of the Chinese American International School and the French-American International School, as well as other bilingual or bi-cultural programs which the Corporation may promote."

"Section 147(f)(2) of the Internal Revenue Code of 1986 requires that, in order for interest evidenced and represented by the certificates to be excluded from gross income for federal income tax purposes, an "applicable elected representative" of the host governmental unit must approve the certificates of participation financing. Such approval must follow a public hearing which has been preceded by reasonable public notice.

"Since the facilities to be financed with the proceeds of the certificates are or will be located within the jurisdiction of the City and County of San Francisco, the Board of Supervisors of the City and County of San Francisco will conduct this public hearing as the host governmental unit.

"This hearing is being conducted pursuant to a notice published on May 3, 1996 in the Independent, a newspaper of general circulation within the City and County of San Francisco.

"The facilities to be financed are or will be located at 150 Oak Street, 129 Oak Street and 289 Fell Street, San Francisco, California.

"The certificates will evidence and represent installment payments to be made by the Authority to the Corporation pursuant to an installment sale financing, and will be payable solely from amounts received from the Corporation pursuant to the terms and provisions of an installment sale agreement between the Corporation and the Authority. The Certificates and the installment sale financing will not be a general obligation of the City and County of San Francisco or the State of California, or a charge upon the full faith and credit or taxing power of either.

"As announced in the published notice, we now offer this opportunity for all interested persons to speak or submit written comments concerning the proposed installment sale financing, the execution and delivery of the certificates and the nature or location of the facilities to be financed thereby."

The President then inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

Rereferred to Committee

[ABAG Finance Authority Membership]
Resolution approving, authorizing and directing the execution and delivery of a Joint Exercise of Powers Agreement relating to the ABAG Finance Authority for Nonprofit Corporations, acknowledging and approving the by-laws thereof (including an indemnity contained therein), appointing a representative to the governing board thereof, authorizing the Board of Supervisors or the Mayor's Office to hold public hearings required by Section 147(f) of the Internal Revenue Code of 1986 in connection with projects to be located within the City and finance by the ABAG Finance Authority for Nonprofit Corporations, and designating either the Board of Supervisors or the Mayor as the applicable elected representative for purposes of Section 147(f) of the Internal Revenue Code of 1986. (Supervisors Kaufman, Hsieh, Bierman, Teng)

File 241-96-1, Resolution No.

(May 20, 1996 - Consideration continued to May 28, 1996.)

Supervisor Kaufman, seconded by Supervisor Leal, moved to rerefer to Budget Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that a reclassification from a P (Public) to an NC-3 (Moderate-Scale Neighborhood Commercial) District, conversion of a vacant, approximately 185,000 gross square foot office building to a school for students from pre-kindergarten through twelfth grade (National Center for International Schools), demolition of existing structures and construction of a gymnasium, and provision of parking for 115 automobiles for the property located at 129 and 150 Oak Street and 289 Fell Street, Assessor's Block 833, Lots 3 and 15 and Assessor's Block 837, Lots 18, 19 and 20, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Supervisors Kaufman, Hsieh, Bierman, Teng)

File 241-96-2, Resolution No.

(May 20, 1996 - Consideration continued to May 28, 1996.)

Supervisor Kaufman, seconded by Supervisor Leal, moved to rerefer to Budget Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[TEFRA AND NCIS Project Approval]
Resolution approving the execution and delivery of not to exceed $22 million aggregate principal amount of certificates of participation for the financing of the National Center for International Schools Project; companion measure to File 241-96-2. (Supervisors Kaufman, Hsieh, Bierman, Teng)

File 241-96-3, Resolution No.

(May 20, 1996 - Consideration continued to May 28, 1996.)

Supervisor Kaufman, seconded by Supervisor Leal, moved to rerefer to Budget Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Eula Walters, save Ferry Park;
Cathy Perry, Chester Meadows eviction, 21st Century Academy School, Youth for Self Employment;
Thomas Karnar, Bay Area Youth News;
Brandon Johnson, Bay Area Youth News;
Malaika Coleman, youth newspaper;
Leboriae P. Smoore, police brutality, constitution for poor;
Virginia Conway, Russian Hill reservoir.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[CCPPSS Member Appointments]
Resolution specifying that 10 of the 11 members of the Comprehensive Community Policing and Public Safety Strategy (CCPPSS) Task Force shall be residents of those areas that correspond to the 10 existing geographical police districts and that the CCPPSS shall be eligible to receive and disburse funds. (Supervisor Kennedy)

File 174-95-6.1, Resolution No. 451-96

(May 20, 1996 - Introduced in Board for consideration on May 28, 1996.)

Adopted.

[Commend Enid Lim]
Resolution commending Enid Lim and declaring June 14, 1996 Enid Lim Day in San Francisco. (Supervisors Teng, Bierman, Shelley, Yaki, Kaufman, Kennedy)

File 6-96-75, Resolution No. 455-96

(May 20, 1996 - Introduced in Board for consideration on May 28, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Kaufman, Kennedy requested to be added as co-sponsors.

[Commend Willie B. Kennedy]
Resolution commending Willie B. Kennedy for her service on the Board of Supervisors and for her service to the people of the City and County of San Francisco. (Supervisors Shelley, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Teng, Yaki)

File 6-96-76, Resolution No. 419-96

(May 20, 1996 - Introduced in Board for consideration on May 28, 1996.)

Adopted.

[Commend Little League Baseball]
Resolution supporting Little League Baseball in San Francisco. (Supervisors Bierman, Yaki, Kaufman, Leal, Kennedy, Teng)

File 6-96-77, Resolution No. 456-96

(May 20, 1996 - Introduced in Board for consideration on May 28, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Kaufman, Leal, Kennedy, Teng requested to be added as co-sponsors.

[Amendments to the Older Californians Act]
Resolution supporting the assurance that priority consideration be given to target funding and services to those in greatest economic or social need, with particular attention to low-income, non-or-limited-English speaking populations, minority populations, and the frail elderly; the assurance of funding factors for those in greatest economic or social need, with particular attention to low-income non-or limited-English speaking populations, minority populations, and the frail elderly; the assurance of adequate funding for the Ombudsman program and the retention of state Ombudsman office; the assurance of adequate funding for the development and enhancement of the home and community-based system care; the maintenance of congregate nutrition programs as an entitlement; and the maintenance of the HICAP program in the amendments to the Older Californians Act. (Supervisors Yaki, Bierman, Kaufman, Leal, Kennedy)

File 12-96-27, Resolution No. 459-96

(May 20, 1996 - Introduced in Board for consideration on May 28, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Kennedy requested to be added as co-sponsors.

[State Legislation - SB 1696]
Resolution supporting Senate Bill 1696 (Kopp) that seeks to reduce the manufacture and sale of portable aerosol paint cans and encourages the development of new technologies to reduce graffiti. (Supervisors Alioto, Kennedy)

File 12-96-28, Resolution No. 460-96

(May 20, 1996 - Introduced in Board for consideration on May 28, 1996.)

Adopted.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

[Same-Sex Marriage]
Resolution urging the United States Congress and the President of the United States, to veto the "Defense of Marriage Act", and for the President to reconsider his opposition on same-sex marriage. (Supervisors Ammiano, Bierman, Yaki, Leal, Kaufman, Kennedy, Teng)

File 13-96-20.1, Resolution No. 461-96

(May 20, 1996 - Introduced in Board for consideration on May 28, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Leal, Kaufman, Kennedy, Teng requested to be added as co-sponsors.

[Subsidized Mortgage Loans and Section 8 Housing]
Resolution opposing recent changes in federal law regarding subsidized mortgage loans and Section 8 housing. (Supervisors Bierman, Yaki, Kennedy, Teng)

File 13-96-21, Resolution No. 462-96

(May 20, 1996 - Introduced in Board for consideration on May 28, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Kennedy, Teng requested to be added as co-sponsors.

[Newspaper Merger]
Resolution urging the District Attorney and the City Attorney to use all of the powers granted to them under California law and the City Charter to fully investigate any proposed merger or discontinuation of one of San Francisco's daily newspapers as a possible violation of California anti-trust law and to take appropriate legal action. (Supervisors Ammiano, Bierman, Kennedy, Teng)

File 112-96-3.1, Resolution No. 468-96

(May 20, 1996 - Introduced in Board for consideration on May 28, 1996.)

Adopted.

In connection with the above item, Supervisors Kennedy, Teng requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-22, Resolution No. 452-96

(Sue Bierman, member, Board of Supervisors, June 7 - 16; Lily Chan, Commissioner, Film and Video Arts Commission, April 27 - May 3; Joseph Driscoll, Commissioner, Retirement System Board, June 10 - 21; Edward Harrington, Controller, Office of the Controller, May 19 - 22; Sandra R. Hernandez, M.D., Director of Health, Department of Public Health, June 26 - 28; Bobbie Sue Hood, President, Building Inspection Commission, April 26 - 28; Alan T. Huie, Commissioner, Film and Video Arts Commission, May 1 - 3; James W. McCullough, Commissioner, Film and Video Arts Commission, May 1 - 3 and May 17 - 19; John E. Newlin, Executive Director, Department of Parking and Traffic, May 23 - 24; Sululagi Palega, Sr., Commissioner, Social Services Commission, May 10 - 12; Edward Petrillo, Commissioner, Film and Video Arts Commission, May 11 - 16; Denise Roth, Commissioner, Film and Video Arts Commission, May 10 - 22; Anna C. Shimko, Commissioner, Juvenile Probation Commission, May 16 - 20; Jitu Somaya, Commissioner, Asian Art Museum, May 28 - June 2; Andrew Sun, Commissioner, Public Transportation Commission, May 15 - 17, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Tuesday, May 28, 1996

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Imperative Resolutions]

Adopted

[Commend LeRoy King]
Resolution commending Commissioner LeRoy King, a devoted hardworking labor leader and long time resident of the Western Addition, for his continuous, philanthropic expressions of boundless generosity and love for the people of the City and County of San Francisco.

File 006-96-078, Resolution No. 453-96

Supervisors Kennedy, Hsieh, Ammiano, Kaufman, Alioto, Yaki, Bierman, Shelley, Teng, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Commend The China Press]
Resolution commending The China Press and declaring June 1, 1996 China Press Day in San Francisco.

File 006-96-079, Resolution No. 454-96

Supervisor Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Commend Mrs. Anson Chan]
Resolution commending Mrs. Anson Chan and declaring May 28, 1996 Mrs. Anson Chan Day in San Francisco.

File 006-96-080, Resolution No. 457-96

Supervisor Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[General Plan Referrals]
Ordinance amending Administrative Code by adding Section 3.012 to provide for General Plan referrals. Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered on June 13, 1996.

File 097-96-035.

[General Plan Referral, Capital Improvement]
Ordinance amending Administrative Code Section 3.011 to provide for General Plan referrals by the Capital Improvement Advisory Committee. Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered on June 13, 1996.

File 097-96-036.

Referred to Board

[Commend Chinatown Branch Library Re-opening]
Resolution commending the re-opening of the San Francisco Chinatown Branch Library and declaring June 15, 1996 to be "Chinatown Branch Library Day" in San Francisco. Supervisors Hsieh, Teng, Yaki, Shelley, Ammiano, Kaufman, Alioto, Leal, Kennedy, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 006-96-081.

[Commend Rosalyn Koo]
Resolution commending Rosalyn Koo on her tremendous contributions as Chair of the Library Foundation of San Francisco to the Chinatown Branch Library and for her many years of service to the community. Supervisors Hsieh, Teng, Yaki, Shelley, Ammiano, Kaufman, Kennedy, Alioto, Leal, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 006-96-082.

[Commend Shoji Horikoshi]
Resolution commending Shoji Horikoshi for his 40 years of distinguished service to the San Francisco Police Department and declaring June 7, 1996 to be "Shoji Horikoshi Day" in San Francisco. Supervisors Hsieh, Teng, Yaki, Shelley, Ammiano, Kaufman, Alioto, Leal, Kennedy, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 006-96-083.

[Commend Chinese Historical Society of America]
Resolution commending the Chinese Historical Society of America on their Third Annual Fundraising event to benefit the development of a National Museum and Learning Center. Supervisors Teng, Hsieh, Yaki, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 006-96-084.

[Childhood Lead Prevention Funding]
Resolution urging the Governor and State Legislature to fully fund childhood lead prevention programs. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 012-96-030.

[Voting Rights Act Bilingual Provisions]
Resolution opposing the proposed "Bilingual Voting Requirements Repeal Act of 1995" (H.R. 351) eliminating the bilingual provisions of the Voting Rights Act of 1975. Supervisors Leal, Yaki, Teng, Hsieh, Bierman, Ammiano, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 013-96-022.

[H.R. 2202, Immigrant Services]
Resolution establishing policy of the City and County to oppose federal or state restrictions on immigrants' access to services; opposing H.R. 2202 and S.1664; urging the Conference Committee of the U.S. House and Senate to adopt the least restrictive provisions of H.R. 2202 and S. 1664 and urging the President to veto H.R. 2202, S. 1664 and all other bills restricting immigrants' access to services. Supervisors Teng, Leal, Bierman, Yaki, Hsieh, Ammiano, Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 013-96-023.

[Appointment]
Resolution appointing Supervisor Tom Ammiano as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 092-96-026.

[Appointment]
Resolution appointing Supervisor Mabel Teng to the Bay Area Air Quality Management District Board of Directors. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 092-96-027.

[Appointment]
Resolution appointing Supervisor Mabel Teng to the Association of Bay Area Governments Executive Board. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 092-96-028.

[Aging Campus]
Resolution urging the Mayor to support the concept of a model "Aging Campus" and to urge the relevant City departments to consult with the Hunters Point Multipurpose Senior Services Center and the community to study and evaluate the feasibility of developing an aging campus and to do everything necessary to make this "Aging Campus" a reality. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 217-96-002.

Referred to Committee

[Power Generation Facility]
Resolution urging Mayor Willie L. Brown, Jr. to urge all City departments and agencies to refrain from taking, permitting or approving any action that would result in the development of any power generation facilities in the Bayview Hunters Point Community. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 234-96-002.

Referred to Board

[Treasure Island, Sports Facility]
Resolution urging the Mayor's Citizens Advisory Committee for Treasure Island, the Planning Commission and the Redevelopment Agency Commission to include in the proposed draft reuse plan for the conversion of Treasure Island a sports recreational facility as an interim reuse. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 244-96-005.

Tuesday, May 28, 1996

Requests for Hearings:

[PG&E Franchise Agreement]
Hearing to consider amending the franchise agreement between the City and County of San Francisco and Pacific Gas and Electric Company to increase the franchise fee on the sale of electricity from .5% to a minimum of two percent and the franchise fee for the sale of gas from 1% to a minimum of two percent. Supervisor Alioto presented. Referred to Select Committee on Municipal Power.

File 032-96-002.

[Hunters Point Shipyard]
Hearing to consider issues regarding the Hunters Point Naval Shipyard. Supervisor Shelley presented. Referred to Select Committee on Base Closures.

File 244-96-006.

Motions:

Referred to Board

[Local Emergency, Needle Exchange Program]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 3, 1996.

File 030-96-001.10.

[Budget, 1996-1997]
Presentation by the Mayor on the 1996-1997 Budget. Supervisor Shelley presented. Scheduled for June 3, 1996 Board meeting by direction of the President.

File 100-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-032. [Furnelli dba Solid Gold, Inc. v. CCSF, et al.] Ordinance approving a settlement between Elizabeth Furnelli dba Solid Gold, Inc. and the City and County of San Francisco, the San Francisco Police Department, the San Francisco Chief of Police and the San Francisco Board of Permit Appeals involving removal of permit restrictions previously imposed by the Board of Permit Appeals. (USDC Northern District of California No. C-95-3517 SAW). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-033. [Scott Davis v. CCSF] Ordinance authorizing settlement of litigation of Scott Davis against the City and County of San Francisco by payment of $15,000. (Superior Court No. 952-773). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 172-96-016. [Medical Services Contract] Ordinance authorizing the Director of Public Health to execute an agreement with Blue Cross of California for the Department of Public Health to provide services to Blue Cross Medi-Cal Managed Care subscribers, which agreement includes binding arbitration and indemnification clauses. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 025-96-010. [Prop J Contract, Shuttle Bus Services] Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the fiscal year commencing July 1, 1996 than if work were performed by City and County employees. (Airport) Referred to Government Efficiency/Labor Committee.

File 033-96-005. [Appointment, Port Commission] Resolution confirming Mayor's appointment of Denise McCarthy as a member of the Port Commission of the City and County of San Francisco. (Mayor) Referred to Rules Committee.

File 040-96-012. [Residential Parking Area "W", Potrero Hill] Resolution establishing Residential Permit Parking Area "W" in the Potrero Hill Area, setting the boundaries and the applicable time limitations therefor. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-013. [Residential Parking "O", West Portal/St. Francis] Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-014. [Residential Parking Area "A", Telegraph Hill] Resolution amending the boundaries of Residential Permit Parking Area "A" in the Telegraph Hill Area. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 047-96-004. [Management Agreement Amendment] Resolution approving amendment of the management agreement (S.F. Parking Authority and Five Star Parking/Universal Parking Resources) for operation of the San Francisco General Hospital Medical Center Parking System. (See File 199-96-1) (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 047-96-005. [Parking Rates, City-Owned Parking Facilities] Resolution approving new parking rates for eight (8) City-owned parking facilities. (Department of Parking and Traffic) Referred to Budget Committee.

File 048-96-018. [Settlement of Claim, William T. Wandall] Resolution approving the settlement of the unlitigated claim of William T. Wandall by payment of $6,333.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-019. [Settlement of Claim, Theresa Thompson] Resolution approving the settlement of the unlitigated claim of Theresa Thompson by payment of $27,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 068-95-009.02. [Amendment, 1996 Emergency Shelter Grant Program] Resolution approving an amendment to the 1996 Emergency Shelter Grants Program; approving Addendum No. 1 to the expenditure schedule for recipient agencies, and determining that no environmental evaluation is required. (Mayor's Office of Community Development) Referred to Budget Committee with request it be considered at the June 12, 1996 meeting.

File 079-95-006.01. [Amendment, 1996 Community Development Program] Resolution approving an amendment to the 1996 Community Development Program by (1) authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend $1,893,400 in additional Community Development Block Grant funds and transfer $297,269 from reprogrammed funds and existing contingencies under the City's 1996 Community Development Block Grant (CDBG) Program from the U.S. Department of Housing and Urban Development, (2) approving Addendum 1 to the expenditure schedule for recipient departments and agencies previously approved by the Board of Supervisors; and (3)authorizing the Mayor to designate individual(s) to act as certifying officer for federal environmental review. (Also see Files 68-95-9 and 68-95-9.1). (Mayor's Office of Community Development). Referred to Budget Committee with request it be considered at the June 12, 1996 meeting.

File 096-96-001. [Sale of Surplus City-Owned Property] Resolution confirming sale of surplus City-owned property. (Also see Files 96-93-5 and 96-95-3). (Real Estate Department) (Assessor's Block 6203, Lot 2, 400 Campbell St.; Assessor's Block 513, Lot 15, 2475 Greenwich St.) Referred to Budget Committee.

File 255-96-001. [Mission Bay North Survey Area] Resolution designating and describing the Mission Bay North Survey Area in accordance with the California Community Redevelopment Law. (Also see Files 255-90-5, 255-90-6, and 255-95-2). (Redevelopment Agency) Referred to Housing and Land Use Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to Assistant Secretary, Housing and Urban Development, transmitting correspondence from Chester Meadows concerning alleged unfair eviction.

By Supervisor Kennedy, that letter be sent to his Honor, the Mayor, and Chief of Police to determine if drug forfeiture funds or some other funds can be used to provide matching funds for the Northern California Service League Roads to Recovery program fund raising challenge.

By Supervisor Bierman, that letter be sent to the Planning Department concerning the problem of lack of notice to residents of projects in neighborhood commercial zones and that the City Attorney has been requested to draft legislation to require such notice. In the interim, the Supervisor inquires whether the Planning Department can provide notice on all new construction in neighborhood commercial zones.

By Supervisor Bierman, that City Attorney prepare ordinance amending the Planning Code by adding Section 703.3 to require notice to residents of new construction in neighborhood commercial districts. The language for notice could be modeled after Planning Code Section 311 for R Districts (the new notice that the Jordan Commission approved rather than revised rear yard requirements).

By Supervisor Alioto, that City Attorney examine and move forward with litigation seeking to amend the franchise fee agreement between the City and County of San Francisco and Pacific Gas and Electric Company.

By Supervisor Alioto, that City Attorney draft an ordinance amending the franchise agreement between the City and County of San Francisco and Pacific Gas and Electric Company to increase the franchise fee on the sale of gas and electricity to a minimum of two percent. File 32-96-2.

By Supervisor Yaki, that City Attorney review, prepare and approve as to form proposed amendments to Administrative Code, Chapter 37, concerning senior housing protection.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Shelley Salieri (By the entire Board)
Marsha Bursey (Supervisor Kennedy)
Verlie Jordan (Supervisor Kennedy)

File 2-96-22

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:02 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 8, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 3, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 23

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 3, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Yaki - 8.

Noted absent at first roll call:

Supervisors Ammiano, Katz, Teng - 3.

Quorum present.

Supervisor Ammiano was noted present at 2:08 p.m.

Supervisor Katz was noted present at 2:08 p.m.

Supervisor Teng excused, on official leave of absence.

COMMUNICATION

The Clerk announced that communication has been received indicating that Supervisors Amos Brown and Leslie Katz have been appointed by Mayor Willie L. Brown, Jr. to the Board of Supervisors. They have furnished the required bonds and have taken the oath of office.

SPECIAL ORDER 2:00 P.M.

Presentation Made

[Budget, 1996-1997]
Presentation from Mayor on the Annual Budget of the City and County of San Francisco for fiscal year 1996-97. (Supervisor Shelley)

File 100-96-1

The Honorable Mayor Willie L. Brown, Jr. appeared and presented a statement concerning his proposed budget for fiscal year 1996-97.

He indicated the budget is up three percent overall, provides $3.2 billion in spending with the largest surplus and has a general fund reserve of $12 million. He highlighted urgent priorities in the areas of public transportation, police, youth, health and capital improvements.

The Mayor indicated one change he would like to make and will be sending a letter to the Board of Supervisors asking for a slight modification in the general fund reserve to provide $3 million to nonprofit organizations for a cost of living adjustment directed for salary increases for its employees. He also asked the Board to carefully review the courts budget request which has increased nearly $3 million when most City departments remained at maintenance levels.

Mayor Brown spoke of plans to create new departments and reorganIzing the executive branch in order to have a world class delivery system to serve the City's world class group of people.

The Mayor acknowledged the assistance and perspectives provided by each individual Supervisor and looks forward to continued collaboration concerning the City's operations and steps which must be taken to move ahead.

A complete copy of the Mayor's budget message is contained in the office of the Clerk of the Board of Supervisors.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, DPH-Mental Health/SFGH]
Ordinance rescinding $503,467, Mental Health, of Mental Health Professional Services and appropriating $117,638 to salaries and fringe benefits for the creation of eighteen (18) full time equivalent positions at Mental Health, and transferring and appropriating $308,726 for San Francisco General Hospital for salaries, fringe benefits, non-personal services, materials and supplies and equipment purchase for the creation of two hundred twenty-two (222) full time equivalent positions for the operation of the Mental Health Rehabilitation Facility for fiscal year 1995-96. (Controller)

File 101-95-78, Ordinance No. 218-96

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, DPH-Mental Health/SFGH]
Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Department of Public Health-Mental Health, reflecting the creation of eighteen (18) positions at Mental Health-Substance Abuse Services, and two hundred twenty-two (222) positions at San Francisco General Hospital for the operation of the Mental Health, Rehabilitation facility for fiscal year 1995-96; companion measure to File 101-95-78. (Department of Human Resources)

File 102-95-19, Ordinance No. 220-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Assessor's Office]
Ordinance amending the 1995-96 Annual Appropriation Ordinance by appropriating $357,249, Assessor's Office, of AB 818 State Loan Revenue, for salaries, fringe benefits and equipment purchase for the creation of six (6) positions for staff support at the Assessor's Office, for the first year of a three-year project to reduce the assessment backlog. (Controller)

File 101-95-79, Ordinance No. 219-96

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, Assessor's Office]
Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Assessor's Office, reflecting the creation of six (6) positions; companion measure to File 101-95-79. (Department of Human Resources)

File 102-95-20, Ordinance No. 221-96

(Fiscal Impact.)

Finally passed.

Passed for Second Reading

[Appropriation, Department of Public Works]
Ordinance appropriating $82,500, Department of Public Works, of 1989 Earthquake Safety Bond interest earnings to a capital improvement project (utility pipe bracing) at Laguna Honda Hospital for fiscal year 1995-96. (Controller)

File 101-95-80, Ordinance No.

Passed for second reading.

[Appropriation, Dept. of Public Health/SFGH]
Ordinance appropriating $63,841 from the General Fund Reserve, rescinding $24,540 of State tobacco tax revenues and appropriating $39,301 for management information systems of the Department of Public Health in the General Fund; appropriating and rescinding (reallocating) various tobacco tax revenues and expenditures to comply with State guidelines in the tobacco tax fund; appropriating $201,685 of tobacco tax revenues for salaries and fringe benefits at San Francisco General Hospital for fiscal year 1995-96. (Controller)

File 101-95-81, Ordinance No.

Passed for second reading.

[Appropriation, PUC-Hetch Hetchy]
Ordinance appropriating $1,000,000, Public Utilities Commission-Hetch Hetchy, of Hetch Hetchy operating funds to a capital improvement project for the emergency repair of the O'Shaughnessy Dam road at Hetch Hetchy for fiscal year 1995-96. (Controller)

File 101-95-85, Ordinance No.

Passed for second reading.

Recommendations of Housing and Land Use Committee

Finally Passed

[Sidewalk Width Regulations, Bryant/Ninth/Brannan]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1522 changing the official sidewalk widths on the southeasterly side of Bryant Street between Ninth Street and 275 feet northeasterly of Ninth Street, on the northeasterly side of Ninth Street between Bryant and Brannan Streets, and on the northwesterly side of Brannan Street between Ninth Street and 275 feet northeasterly of Ninth Street, as shown on the Department of Public Works drawing labeled Q-20-418 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-2, Ordinance No. 222-96

Finally passed.

[Parking Authority]
Ordinance amending Administrative Code, which set forth certain powers and responsibilities of the Parking Authority that are no longer consistent with the San Francisco Charter, or Administrative Code, or current practice; to make those sections consistent with the powers and responsibilities vested in the Parking and Traffic Commission and which provide for certain powers and responsibilities of the Parking Authority consistent with the San Francisco Charter, the Administrative Code and current practice. (Department of Parking and Traffic)

File 97-96-28, Ordinance No. 223-96

(Repeals Sections 17.2-1, 17.2-2, 17.3, 17.4, 17.5, 17.9, 17.10, 17.14, 17.15, 17.19, and 17.22;

Amends Sections 17.1, 17.2, 17.6, 17.7, 17.8, 17.11, 17.16, 17.17, 17.18, 17.20, 17.21, and 17.23;

(Adds Sections 17.3, 17.8, 17.11, 17.12, and 17.16.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Use of Surplus Campaign Funds]
Ordinance amending Administrative Code, to provide that individuals who cease to be a candidate for local office, or who fail to qualify as a candidate for local office, and who have unexpended campaign funds, may donate the unexpended funds to the General Fund of the City and County. (Supervisors Shelley, Teng)

File 97-96-29, Ordinance No. 224-96

(Amends Section 16.510.)

Finally passed.

[Gun Control]
Ordinance amending Police Code, relating to the sale, lease or other transfer of firearms, firearm ammunition or firearm ammunition components. (Supervisors Shelley, Bierman, Leal, Yaki, Ammiano, Teng)

File 121-96-6, Ordinance No. 225-96

(Amends Sections 613.1 and 613.10.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Passed for Second Reading

[Summer Youth Employment Credit]
Ordinance amending Part III, Articles 12-A (the Payroll Expense Tax Ordinance) and 12-B (the Business Tax Ordinance) of the Municipal Code to provide for credits against those taxes for businesses hiring youths between the ages of 14 and 21 for the summer; and providing that the provisions of these credits expire on December 31, 2001. (Supervisors Yaki, Leal, Ammiano, Bierman, Teng, Alioto, Kaufman, Kennedy, Shelley, Hsieh, Katz, Brown)

File 127-96-5, Ordinance No.

(Add Sections 906-C and 1005.7.)

(May 28, 1996 - Consideration continued to June 3, 1996.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Hsieh, Katz, Brown requested to be added as co-sponsors.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[AAO Amendment, New Football Stadium]
Ordinance amending the Annual Appropriation Ordinance (Ordinance No. 255-95) for the year 1995-96 by adding Section 34 to authorize sequestration of funds for new stadium and renovations to existing stadium, and placing any such appropriated funds on reserve. (Supervisor Shelley)

File 101-95-2.3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

The President resumed the Chair.

[Appropriation, PTC - Municipal Railway]
Ordinance appropriating $4,943,173, Municipal Railway, of Municipal Railway Operating Funds (fare and subvention revenue, fund balance and rescinding fringe benefits) to fund projected shortfalls in Workers' Compensation and fuel for fiscal year 1995-96. (Controller)

File 101-95-82, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Public Library]
Ordinance appropriating $2,500,000, Public Library, for salaries ($1,552,242 of Library Preservation Fund and $947,758 of General Funds), rescinding $50,000 from General Fund materials and supplies, $500,000 from books and $50,000 from materials and supplies in the Library Preservation Fund to address the projected budget shortfall for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-83, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Assessor's Office]
Ordinance amending the 1995-96 Annual Appropriation Ordinance, Assessor's Office, by appropriating $656,083 of AB 818 State Loan Revenue, $373,261 of prior Assessor's system project surplus and $2,302,886 from General Fund Reserve (established from 1994-95 one-time accounting adjustment) to a project to provide an Integrated Assessor's Property Tax system (INPACT) including salaries and fringe benefits for two new staff positions, equipment services of other departments (ISD) and professional services, with the intent that the General Fund be paid back $1,300,000 from additional State Loan Revenue over the next two years; placing $300,000 on reserve. (Controller)

File 101-95-84, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Salary Ordinance Amendment, Assessor's Office]
Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Assessor's Office, reflecting the creation of two (2) positions; companion measure to File 101-95-84. (Department of Human Resources)

File 102-95-21, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Recreation and Park Department]
Ordinance appropriating $80,000, Recreation and Park Department, from the General Fund Reserve to professional services, to provide consulting services at the Recreation and Park Department to assist with the preparation of FEMA applications concerning storm damage for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-86, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appropriation, DPW, Mission Street Lighting]
Ordinance appropriating $50,000, Department of Public Works, for Mission Street lighting and rescinding $50,000 from street resurfacing project gas tax fund; placing $50,000 on reserve. (Supervisor Leal)

File 101-95-87, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Membership List, Department of Public Health]
Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

File 97-96-24, Ordinance No.

(Amends Section 16.6-10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Seismic Safety Loan Program]
Ordinance amending Administrative Code, regarding permissible loan packagers; permissible life/safety improvement costs; payment of financial consultant fees; applicability of base wage requirements; applicability of prevailing wage requirements; and applicability of economically disadvantaged hire requirements. (Supervisor Hsieh)

File 97-96-34, Ordinance No.

(Amends Sections 66A.3, 66A.9, 66A.17, 66A.19, 66A.22 and 66A.23.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Filing and License Fees, Police Permits]
Ordinance amending Police Code, relating to permit filing fees and permit license fees. (Police Commission)

File 121-96-7, Ordinance No.

(Amends Sections 2.26, 2.26.1, 2.27, and 2.27.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted

[Emergency Repair, Stockton/Laguna Sts/Julian Ave.]
Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Stockton Street between Francisco Street and Bay Street, Laguna Street between Ellis Street and Cleary Court and Julian Avenue between 15th Street and 16th Street - $212,937. (Department of Public Works)

File 28-96-5, Resolution No. 482-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Park and Open Space Fund, 1996-97]
Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1996-1997, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department)

File 168-96-3, Resolution No. 486-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Water Revenue Bonds]
Resolution approving the issuance of not to exceed $145,000,000 principal amount of San Francisco Water Revenue Bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the Indenture pursuant to which the bonds are issued; and authorizing taking of appropriate actions in connection therewith. (City Attorney)

File 170-96-3, Resolution No. 487-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

[General Obligation Bonds Issuance]
Resolution providing for the issuance of not to exceed $41,730,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Asian Art Museum Relocation Project) including the issuance of an initial series thereof in the aggregate principal amount of $25,000,000 and designated as the City and County of San Francisco General Obligation Bonds (Asian Art Museum Relocation Project), Series 1996E; authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of funds related thereto; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Supervisors Shelley, Hsieh, Kaufman, Bierman, Leal, Brown)

File 170-96-4, Resolution No. 488-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Leal, Brown requested to be added as co-sponsors.

The President resumed the Chair.

[General Obligation Bonds Sale]
Resolution authorizing and directing the sale of $7,645,000 City and County of San Francisco General Obligation Bonds (Public Safety Improvement Projects, 1989), Series 1996B; $14,285,000 City and County of San Francisco General Obligation Bonds (Fire Department Facilities Project, 1992), Series 1996C; $42,300,000 City and County of San Francisco General Obligation Bonds (School District Facilities Improvements), Series 1996D and $25,000,000 City and County of San Francisco General Obligation Bonds (Asian Art Museum Relocation Project), Series 1996E; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of funds related thereto; approving the forms of Official Notice of Sale of Bonds and Notice of Intention to Sell Bonds; directing the publication of Notice of Sale and Notice of Intention to Sell Bonds; approving the form and execution of the official statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Chief Administrative Officer)

File 170-96-5, Resolution No. 489-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing appealing decision of City Planning Commission by its Motions 14067, 14068, 14069, 14070 and 14072 approving Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C to install wireless transmission facilities on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive.

File 37-96-1

(Appeal filed April 8, 1996.)

(Categorically exempt from environmental review process pursuant to Title 14 of the California Administrative Code.)

(May 6, 1996 - Consideration continued to June 3, 1996.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Mary Irene Zemanik; Lloyd Brook; Albert Hom; John Brook; Jan Diamond; Karen Wickre; Elizabeth Mettling; Philip Carlton; Stephen Morse; Sue Hestor; Jeffiner Grigley; Patricia Vaughey; John Bardis; Howard Strassner; Zane Blaney; Ramona Albright; Victor Menotti; Donald Stroh; Erica Zweig; Donna Apt; Phil Siegel; Dan Lenerson; John Barbey; Tes Welborn; James Tracy; Russ Berman; Eric; Bud Wilson; Aroza Simpson; Roger Boombield; Calvin Welch; Brooke Sampson; Jim Karnstedt; Rodney.

Respondents:

Bob Passmore, representing City Planning Commission and the Department of City Planning.

Lynn Bunim; Pat Christensen; Raquel Medina; Cyril Ramer, Dr.; John L. Darby; James Chappell; Dr. Dennis Tison; Jim Brown; Kenyon Price; Gwen Kaplan; Linda Perry; Brian Carbo; Michael Sneider; Helena; Leo; Earl White; Rhea Serpan; Mark Rennie.

A rebuttal period was allowed.

The President then declared the hearing closed.

(Only one of the following two motions should be adopted.)

Supervisor Hsieh Excused from Voting

See Journal of Proceedings of May 6, 1996.

Consideration Continued

[Appeal, Wireless Transmission Facilities]
Motion approving decision of the City Planning Commission by its Motions 14067, 14068, 14069, 14070 and 14072 approving Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C, on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive. (Clerk of the Board)

File 37-96-1.1

(May 6, 1996 - Consideration continued to June 3, 1996.)

Supervisor Ammiano, seconded by Supervisor Kaufman, moved to continue consideration to June, 17, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

[Appeal, Wireless Transmission Facilities]
Motion disapproving decision of the City Planning Commission by its Motions 14067, 14068, 14069, 14070 and 14072 approving Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C, on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive. (Clerk of the Board)

File 37-96-1.2

(May 6, 1996 - Consideration continued to June 3, 1996.)

Supervisor Ammiano, seconded by Supervisor Kaufman, moved to continue consideration to June, 17, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C, on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive, for action by the Board at its next meeting. (Clerk of the Board)

File 37-96-1.3

(May 6, 1996 - Consideration continued to June 3, 1996.)

Supervisor Ammiano, seconded by Supervisor Kaufman, moved to continue consideration to June, 17, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Bierman assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Phil Carlton, ice cream cafe;
Eladio J. Ballestas, Innovative Housing;
Eula Walters, Ferry Park;
Monique Hopkins, Innovative Housing;
Alexandra Abley, Innovative Housing;
James Tracy, Innovative Housing;
Rodney Talmadge, air quality, needle exchange program, smoking, ballpark;
Wendy Loren, police harassment.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

The President resumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

(These three items were acted upon separately.)

Adopted

[Appointment]
Resolution appointing Supervisor Tom Ammiano as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

File 92-96-26, Resolution No. 483-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Supervisor Ammiano Excused from Voting

On advice of the City Attorney, Supervisor Ammiano requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kaufman, seconded by Supervisor Yaki, moved to excuse Supervisor Ammiano from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 8.

Excused: Supervisor Ammiano - 1.

Absent: Supervisors Hsieh, Teng - 2.

[Appointment]
Resolution appointing Supervisor Mabel Teng to the Bay Area Air Quality Management District Board of Directors. (Clerk of the Board)

File 92-96-27, Resolution No. 484-96

(May 28, 1996 - Introduced in Board for consideration on 16e 3,1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Appointment]
Resolution appointing Supervisor Mabel Teng to the Association of Bay Area Governments Executive Board. (Clerk of the Board)

File 92-96-28, Resolution No. 485-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yaki requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Commend Rosalyn Koo]
((Resolution commending Rosalyn Koo on her tremendous contributions as Chair of the Library Foundation of San Francisco to the Chinatown Branch Library and for her many years of service to the community.))
(Supervisors Hsieh, Teng, Yaki, Shelley, Ammiano, Kaufman, Kennedy, Alioto, Leal, Bierman, Katz)

Resolution commending Rosalyn Koo on her tremendous contributions as Vice Chair of fundraising for the Friends of the Chinatown Branch Library and for her many years of service to the community.

File 6-96-82, Resolution No. 493-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Supervisor Yaki, seconded by Supervisor Brown, moved an amendment of the whole entitled, "Resolution commending Rosalyn Koo on her tremendous contributions as Vice Chair of fundraising for the Friends of the Chinatown Branch Library and for her many years of service to the community."

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Chinatown Branch Library Re-opening]
Resolution commending the re-opening of the San Francisco Chinatown Branch Library and declaring June 15, 1996 to be "Chinatown Branch Library Day" in San Francisco. (Supervisors Hsieh, Teng, Yaki, Shelley, Ammiano, Kaufman, Alioto, Leal, Kennedy, Bierman)

File 6-96-81, Resolution No. 476-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

[Commend Shoji Horikoshi]
Resolution commending Shoji Horikoshi for his 40 years of distinguished service to the San Francisco Police Department and declaring June 7, 1996 to be "Shoji Horikoshi Day" in San Francisco. (Supervisors Hsieh, Teng, Yaki, Shelley, Ammiano, Kaufman, Alioto, Leal, Kennedy, Bierman, Katz)

File 6-96-83, Resolution No. 477-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Commend Chinese Historical Society of America]
Resolution commending the Chinese Historical Society of America on their Third Annual Fundraising event to benefit the development of a National Museum and Learning Center. (Supervisors Teng, Hsieh, Yaki, Bierman, Alioto, Kaufman, Katz)

File 6-96-84, Resolution No. 478-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz requested to be added as co-sponsors.

[Childhood Lead Prevention Funding]
Resolution urging the Governor and State Legislature to fully fund childhood lead prevention programs. (Supervisors Shelley, Alioto, Katz)

File 12-96-30, Resolution No. 479-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Voting Rights Act Bilingual Provisions]
Resolution opposing the proposed "Bilingual Voting Requirements Repeal Act of 1995" (H.R. 351) eliminating the bilingual provisions of the Voting Rights Act of 1975. (Supervisors Leal, Yaki, Teng, Hsieh, Bierman, Ammiano, Alioto, Shelley, Kaufman, Katz)

File 13-96-22, Resolution No. 480-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz requested to be added as co-sponsors.

[H.R. 2202, Immigrant Services]
Resolution establishing policy of the City and County to oppose federal or state restrictions on immigrants' access to services; opposing H.R. 2202 and S.1664; urging the Conference Committee of the U.S. House and Senate to adopt the least restrictive provisions of H.R. 2202 and S. 1664 and urging the President to veto H.R. 2202, S. 1664 and all other bills restricting immigrants' access to services. (Supervisors Teng, Leal, Bierman, Yaki, Hsieh, Ammiano, Alioto, Kaufman, Katz, Brown, Shelley)

File 13-96-23, Resolution No. 481-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz, Brown, Shelley requested to be added as co-sponsors.

[Aging Campus]
Resolution urging the Mayor to support the concept of a model "Aging Campus" and to urge the relevant city departments to consult with the Hunters Point Multipurpose Senior Services Center and the community to study and evaluate the feasibility of developing an aging campus and to do everything necessary to make this "Aging Campus" a reality. (Supervisors Kennedy, Alioto, Bierman)

File 217-96-2, Resolution No. 491-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Treasure Island, Sports Facility]
Resolution urging the Mayor's Citizens Advisory Committee for Treasure Island, the Planning Commission and the Redevelopment Agency Commission to include in the proposed draft reuse plan for the conversion of Treasure Island a sports recreational facility as an interim reuse. (Supervisors Shelley, Brown)

File 244-96-5, Resolution No. 492-96

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Local Emergency, Needle Exchange Program]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz)

File 30-96-1.10

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Final Map]
Motion approving final map of 2878 Sacramento Street, a Condominium Project, being a resubdivision of Lot 17A in Assessor's Block No. 1003, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-16

(May 28, 1996 - Introduced in Board for consideration on June 3, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-23, Resolution No. 472-96

(Henry E. Berman, President, Airports Commission, June 14 - 20; Mary I. Callanan, Treasurer, Office of the Treasurer, July 18 - August 5; Clifford W. Graves, Executive Director, Redevelopment Agency, June 1 - 4; Ernest H. Llorente, Commissioner, Library Commission, May 8 - 12; Larry Mazzola, Commissioner, Airports Commission, June 12 - 16; Emery Rogers, Commissioner, Art Commission, June 9 - 19; Jane E. Rubin, Executive Director, Ethics Commission, June 5 - 9; Fran A. Streets, Commissioner, Library Commission, May 13 - 21; Doris M. Ward, Assessor, Assessor's Office, July 12 - 16 and July 22 - 25, 1996.)

Adopted.

[Black Historic Sites]
Resolution approving the temporary placement of street banners on various city utility poles through February 28, 1997 in connection with African-American History and urging the Mayor to direct the Chief Administrative Officer to direct the Department of Public Works to assist on the placement of these banners at no cost to the City and urging various agencies to help promote and draw attention to the African-American Heritage of San Francisco. (Supervisors Kennedy, Bierman)

File 197-96-2, Resolution No. 490-96

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Imperative Resolutions]

Adopted

[Liesl Ambrunn Day]
Resolution congratulating Liesl Ambrunn on the achievement of her ninetieth birthday and declaring June 10, 1996 to be "Liesl Ambrunn Day" in the City and County of San Francisco.

File 004-96-014, Resolution No. 473-96

Supervisors Leal, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Commend Visitacion Valley Community Beacon]
Resolution commending the Visitacion Valley Community Beacon on the occasion of their opening celebration.

File 006-96-085, Resolution No. 474-96

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Commend Jo Daly]
Resolution commending Jo Daly on the occasion of her 50th birthday and proclaiming June 6, 1996 as Jo Daly Day.

File 006-96-086, Resolution No. 475-96

Supervisors Shelley, Bierman, Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Lease Modification, Pier 7 1/2]
Ordinance approving reaffirmation and first amendment to lease and consent to encumbrance with Bundox Restaurant, Inc., dba The Waterfront Restaurant at Pier 7 1/2 (Broadway and The Embarcadero). Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee with request it be considered on June 11, 1996.

File 065-96-010.

[Former Charter Provisions]
Draft substitute ordinance amending Administrative Code by adding Sections 1.49, 2.1-1, 2A.10, 2A.20, 2A.30, 10.01, 10.02, 10.03, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06 and 2A.110, to codify Sections 1.103, 2.101 , 3.100, 3.302, 3.303, 3.501, 6.300, 6.306, 6.307, 7.100, 7.101, 7.102, 7.103, 7.200, 7.203 and 7.400 of the 1932 Charter, respectively; making necessary changes to conform to the 1996 Charter; and repealing former Sections 3.201 and 7.603 of the 1932 Charter (Officer of the City and County; powers of the Board of Supervisors; emergency succession to the Mayor; Chief Administrative Officer; Controller's Reports and Audits; Department Heads; effect of appropriation ordinance; cash reserve fund and supplemental appropriations; emergency reserve fund; purchasing, materials, supplies, equipment and services; public works and purchasing contracts; contracting penalties and extras; Director of Property; special assessment projects). Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered at special meeting on June 13, 1996.

File 097-96-019.

[1996 Charter Changes to Administrative Code]
Draft ordinance amending various sections of the Administrative Code relating to functions and duties of the Chief Administrative Officer, to conform to the provisions of the Charter of 1996 and repealing Section 4.14 relating to the temporary use of official voting machines. Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered at special meeting on June 13, 1996.

File 097-96-019.01.

Referred to Board

[Federal Legislation - H.R. 969]
Resolution supporting H.R. 969 (Oberstar) that would prohibit smoking on any scheduled airline flight segment in intrastate, interstate, or foreign air transportation. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 10, 1996.

File 013-96-024.

[Cigarettes - List Ingredients]
Resolution urging the Food and Drug Administration to establish regulations requiring the listing of all ingredients contained in cigarettes on all cigarette packaging. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 10, 1996.

File 013-96-025.

[Cigarettes - Rating Tar/Nicotine Levels]
Resolution urging the Federal Food and Drug Administration to establish regulations requiring the rating of tar and nicotine levels contained in cigarettes. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 10, 1996.

File 013-96-026.

Referred to Committee

[Parking Rates for SFGH]
Resolution approving parking rates for the San Francisco General Hospital Medical Center Parking System. Supervisor Hsieh presented on behalf of the Department of Parking and Traffic. Referred to Government Efficiency/Labor Committee with request it be considered at the June 11, 1996 meeting.

File 047-96-007.

Referred to Board

[Appointment]
Resolution appointing Supervisor Michael Yaki as member to the San Mateo/City and County of San Francisco Joint Task Force. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 10, 1996.

File 092-96-033.

[Appointment]
Resolution appointing Supervisor Kevin Shelley as member to the San Mateo/City and County of San Francisco Joint Task Force. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 10, 1996.

File 092-96-034.

Referred to Committee

[Interim Zoning Controls, Alcoholic Beverage Sale]
Resolution imposing Interim Zoning Controls to prohibit introduction of new establishments, or any expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages in the Haight Street Neighborhood Commercial District, as defined in Planning Code Section 719.1, for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 111-96-002.

Called from Committee

Supervisor Kaufman, seconded by Supervisor Leal, moved that the following three items be called from Budget Committee with direction to schedule for Board consideration on June 10, 1996.

Motion adopted by the following vote:

Aues Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[ABAG Finance Authority Membership]
Resolution approving, authorizing and directing the execution and delivery of a Joint Exercise of Powers Agreement relating to the ABAG Finance Authority for Nonprofit Corporations, acknowledging and approving the by-laws thereof (including an indemnity contained therein), appointing a representative to the governing board thereof, authorizing the Board of Supervisors or the Mayor's Office to hold public hearings required by Section 147(f) of the Internal Revenue Code of 1986 in connection with projects to be located within the City and finance by the ABAG Finance Authority for Nonprofit Corporations, and designating either the Board of Supervisors or the Mayor as the applicable elected representative for purposes of Section 147(f) of the Internal Revenue Code of 1986.

File 241-96-001.

Called from Budget Committee by the Board with direction to schedule for Board meeting of June 10, 1996.

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that a reclassification from a P (Public) to an NC-3 (Moderate-Scale Neighborhood Commercial) District, conversion of a vacant, approximately 185,000 gross square foot office building to a school for students from pre-kindergarten through twelfth grade (National Center for International Schools), demolition of existing structures

and construction of a gymnasium, and provision of parking for 115 automobiles for the property located at 129 and 150 Oak Street and 289 Fell Street, Assessor's Block 833, Lots 3 and 15 and Assessor's Block 837, Lots 18, 19 and 20, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration.

File 241-96-002.

Called from Budget Committee by the Board with direction to schedule for Board meeting of June 10, 1996.

[TEFRA AND NCIS Project Approval]
Resolution approving the execution and delivery of not to exceed $22 million aggregate principal amount of certificates of participation for the financing of the National Center for International Schools Project; companion measure to File 241-96-2.

File 241-96-003.

Called from Budget Committee by the Board with direction to schedule for Board meeting of June 10, 1996.

Referred to Board

[California Women's Agenda/Contract]
Resolution supporting the goals and purposes of the proposed California Women's Agenda and the Contract with Women of the USA. Supervisors Kaufman, Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 10, 1996.

File 242-96-001.

Referred to Committee

[Joe Mazzola Place]
Resolution honoring Joe Mazzola and commemorating the Plumbers and Pipefitters' (Local 38) Union Hall at 1621 Market Street as an historic site and dedicating the location as "Joe Mazzola Place". Supervisors Shelley, Alioto presented. Referred to Rules Committee.

File 243-96-001.

Requests for Hearings:

[TCI Viacom]
Hearing to consider TCI Viacom. Supervisors Ammiano, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 032-96-001.01.

[Viacom/TCI Operations in San Francisco]
Hearing to consider Viacom's performance as cable television operation in San Francisco and TCI's performance as cable television operator in other jurisdictions and plans for service to San Francisco on issues including subscriber rates and installation charges; upgrade plans; support for public, education and government access programming and management of the public access channel; leased access availability and employment practices. Supervisors Bierman, Alioto presented. Referred to Government Efficiency/Labor Committee with request it be considered on June 25, 1996.

File 032-96-001.02.

[Cigarette Vending Machine Ban]
Hearing to consider the total ban of cigarette vending machines in the City and County of San Francisco and to assess the impact on businesses that sell and/or lease vending machines. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 118-96-002.

[Cigarette Sales to Minors]
Hearing to consider increasing the penalties for retailers who sell cigarettes to minors and to assess the enforcement of current laws governing the sale of tobacco to minors. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 118-96-003.

[Licensure of Cigarette Retailers]
Hearing to consider the licensure of cigarette retailers in the City and County of San Francisco. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 118-96-004.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-96-1 [Interim Annual Appropriation Ordinance] Interim Annual Appropriation Ordinance for fiscal year 1996-97. (Mayor) Referred to Budget Committee.

File 102-96-1 [Interim Annual Salary Ordinance] Interim Annual Salary Ordinance for fiscal year 1996-97. (Department of Human Resources) Referred to Budget Committee.

File 101-96-2 [Annual Appropriation Ordinance] Annual Appropriation Ordinance for fiscal year 1996-97. (Mayor) Referred to Budget Committee.

File 102-96-2 [Annual Salary Ordinance] Annual Salary Ordinance for fiscal year 1996-97. (Department of Human Resources) Referred to Budget Committee.

Resolutions Referred to Committee

File 028-96-006. [Emergency Repair, Various Locations] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Hyde Street between Ellis and O'Farrell Streets, South Hill Boulevard between Winding Way and Chicago Way, the Sweeny Street easement between Sweeny Street and West View Avenue and Hallam Street at the Folsom Street Intersection - $257,913. (Department of Public Works) Referred to Budget Committee.

File 047-96-006. [Performing Arts Garage Management Agreement] Resolution approving form of the Performing Arts Garage management agreement and bid documents, and authorizing Parking Authority to request bids for management of the Performing Arts Garage using the approved bid documents. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-96-006. [Extension and Renewal of Leases] Resolution authorizing extension and renewal of eleven (11) existing leases of real property required by the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 089-96-003. [SDI Coverage, 1675 Supervising Fiscal Officer] Resolution authorizing enrollment of classification(s) 1675 Supervising Fiscal Officer in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 133-96-004. [Grant, Reduce Air Pollution, Motor Vehicles] Resolution authorizing the Chief Administrative Officer to apply for $2,404,910 from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs. (Chief Administrative Officer, Supervisor Leal) Referred to Government Efficiency/Labor Committee.

File 142-96-002. [Water Rates - Finding] Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of a proposed schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-96-2.1 and 142-96-2.1. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board June 17, 1996.

File 142-96-002.01. [Approving Revised Rates, Retail Water Service] Resolution approving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-96-2, and 142-96-2.2. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board June 17, 1996.

File 142-96-002.02. [Disapproving Water Rates, Retail Water Service] Resolution disapproving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-96-2 and 142-95-2.1. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board June 17, 1996.

File 146-96-009. [Grant, Early Childhood Mental Health Program] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, to accept and expend retroactively a grant of $190,691, from the Miriam and Peter Haas Fund, to create an integrated model of targeted consultation by establishing an intensive consultant training program which will prepare mental health practitioners to provide consultation, staff training, prevention and early intervention services and support for constituents of licensed, center-based early childhood programs serving San Francisco's low-income families; providing for ratification of action previously taken and waiving indirect costs. (See File 146-96-2) (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-010. [Grant, Universitywide AIDS Research Program] Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively and accept and expend a grant of $119,143 from the University of California Universitywide AIDS Research Program to evaluate the referral component of the HIV Counseling, Testing, Referral and Partner Notification (CTRPN) Program; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 161-96-003. [Redevelopment Agency Interim Budget, 1996/97] Resolution approving an interim budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1996-97. (Redevelopment Agency) Referred to Budget Committee.

File 161-96-004. [Redevelopment Agency Budget and Bonds, 1996/97] Resolution approving the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1996-1997; and approving the issuance by the Agency of Bonds in an aggregate principal amount not to exceed $43,000,000 for the purpose of financing redevelopment activities in fiscal year 1996-1997. (Redevelopment Agency) Referred to Budget Committee.

File 172-96-017. [State Child Care Contract] Resolution authorizing the execution of a contract between the City and County of San Francisco and the State of California Department of Education in the amount of $128,167 for participation by the City and County in the State's Child Care and Development Program for fiscal year 1995-96. (Department of Social Services) Referred to Government Efficiency/Labor Committee.

File 199-96-002. [Findings, Old Main Library Jurisdictional Transfer] Resolution adopting findings pursuant to the California Environmental Quality Act relating to the transfer of jurisdiction of the Old Main Library building from the Library Commission to the Asian Art Commission, as analyzed in the San Francisco Main Library Final Environmental Impact Report, Case No. 90.808E and re-evaluated in the Asian Art Museum Project EIR Addendum to that Environmental Impact Report, dated May 1, 1996; companion measure to File 199-96-2.1. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 199-96-002.01. [Jurisdictional Transfer, Old Main Library] Resolution transferring jurisdiction from the Library Commission to the Asian Art Commission of Lot 1 in Assessor's Block 353, known as Old Main Library and Library Annex, for museum use; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 199-96-2. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that City Attorney prepare ordinance to restrict vehicle owners from parking vehicles on lawns.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Henry A. Kitz (By the entire Board)
Betty Lim (Supervisors Bierman, Shelley)
Lloyd Dickey (Supervisor Bierman)
Rev. Jack Hart (Supervisor Leal)

File 2-96-23

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:42 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 15, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 10, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 24

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 10, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Noted absent at first roll call:

Supervisors Bierman, Katz, Leal - 3.

Quorum present.

Supervisor Bierman excused, on official leave of absence.

Supervisor Katz excused. (See infra.)

Supervisor Leal was noted present at 2:10 p.m.

Supervisor Katz Excused

The Clerk stated Supervisor Katz requested to be excused from attending today's meeting because of illness.

Thereupon Supervisor Yaki, seconded by Supervisor Kaufman, moved to excuse Supervisor Katz from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

Committee Assignments

President Shelley announced new committee assignments effective June 10, 1996 as follows:

Budget Committee
Supervisors Hsieh, Kaufman, Bierman

Economic Vitality and Social Policy Committee
Supervisors Teng, Katz, Brown

Government Efficiency and Labor Committee
Supervisors Ammiano, Yaki, Katz

Health, Public Safety and Environment Committee
Supervisors Alioto, Leal, Yaki

Housing and Land Use Committee
Supervisors Bierman, Teng, Brown

Rules Committee
Supervisors Shelley, Leal, Ammiano

Select Committee on Base Closures
Supervisors Shelley, Brown, Bierman

Select Committee on Charter Implementation
Supervisors Kaufman, Leal, Katz

Select Committee on Municipal Public Power
Supervisors Alioto, Bierman, Yaki

First-named Supervisor is Chair, second-named Supervisor is Vice-Chair, of the Committee.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[AAO Amendment, New Football Stadium]
Ordinance amending the Annual Appropriation Ordinance (Ordinance No. 255-95) for the year 1995-96 by adding Section 34 to authorize sequestration of funds for new stadium and renovations to existing stadium, and placing any such appropriated funds on reserve. (Supervisor Shelley)

File 101-95-2.3, Ordinance No. 226-96

Finally passed.

[Appropriation, Department of Public Works]
Ordinance appropriating $82,500, Department of Public Works, of 1989 Earthquake Safety Bond interest earnings to a capital improvement project (utility pipe bracing) at Laguna Honda Hospital for fiscal year 1995-96. (Controller)

File 101-95-80, Ordinance No. 227-96

Finally passed.

[Appropriation, Dept. of Public Health/SFGH]
Ordinance appropriating $63,841 from the General Fund Reserve, rescinding $24,540 of State tobacco tax revenues and appropriating $39,301 for management information systems of the Department of Public Health in the General Fund; appropriating and rescinding (reallocating) various tobacco tax revenues and expenditures to comply with State guidelines in the tobacco tax fund; appropriating $201,685 of tobacco tax revenues for salaries and fringe benefits at San Francisco General Hospital for fiscal year 1995-96. (Controller)

File 101-95-81, Ordinance No. 228-96

Finally passed.

[Appropriation, PTC - Municipal Railway]
Ordinance appropriating $4,943,173, Municipal Railway, of Municipal Railway Operating Funds (fare and subvention revenue, fund balance and rescinding fringe benefits) to fund projected shortfalls in Workers' Compensation and fuel for fiscal year 1995-96. (Controller)

File 101-95-82, Ordinance No. 229-96

Finally passed.

[Appropriation, Public Library]
Ordinance appropriating $2,500,000, Public Library, for salaries ($1,552,242 of Library Preservation Funds and $947,758 of General Funds), rescinding $50,000 from General Fund materials and supplies, $500,000 from books and $50,000 from materials and supplies in the Library Preservation Fund to address the projected budget shortfall for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-83, Ordinance No. 230-96

Finally passed.

[Appropriation, Assessor's Office]
Ordinance amending the 1995-96 Annual Appropriation Ordinance, Assessor's Office, by appropriating $656,083 of AB 818 State Loan Revenue, $373,261 of prior Assessor's system project surplus and $2,302,886 from General Fund reserve (established from 1994-95 one-time accounting adjustment) to a project to provide an Integrated Assessor's Property Tax system (INPACT) including salaries and fringe benefits for two new staff positions, equipment services of other departments (ISD) and professional services, with the intent that the General Fund be paid back $1,300,000 from additional State Loan Revenue over the next two years; placing $300,000 on reserve. (Controller)

File 101-95-84, Ordinance No. 231-96

Finally passed.

[Salary Ordinance Amendment, Assessor's Office]
Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Assessor's Office, reflecting the creation of two (2) positions; companion measure to File 101-95-84. (Department of Human Resources)

File 102-95-21, Ordinance No. 235-96

Finally passed.

[Appropriation, PUC-Hetch Hetchy]
Ordinance appropriating $1,000,000, Public Utilities Commission-Hetch Hetchy, of Hetch Hetchy operating funds to a capital improvement project for the emergency repair of the O'Shaughnessy Dam road at Hetch Hetchy for fiscal year 1995-96. (Controller)

File 101-95-85, Ordinance No. 232-96

Finally passed.

[Appropriation, Recreation and Park Department]
Ordinance appropriating $80,000, Recreation and Park Department, from the General Fund Reserve to professional services, to provide consulting services at the Recreation and Park Department to assist with the preparation of FEMA applications concerning storm damage for fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-86, Ordinance No. 233-96

Finally passed.

[Appropriation, DPW, Mission Street Lighting]
Ordinance appropriating $50,000, Department of Public Works, for Mission Street lighting and rescinding $50,000 from street resurfacing project gas tax fund; placing $50,000 on reserve. (Supervisors Leal, Bierman)

File 101-95-87, Ordinance No. 234-96

Finally passed.

[Membership List, Department of Public Health]
Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

File 97-96-24, Ordinance No. 236-96

(Amends Section 16.6-10.)

Finally passed.

[Seismic Safety Loan Program]
Ordinance amending Administrative Code, regarding permissible loan packagers; permissible life/safety improvement costs; payment of financial consultant fees; applicability of base wage requirements; applicability of prevailing wage requirements; and applicability of economically disadvantaged hire requirements. (Supervisor Hsieh)

File 97-96-34, Ordinance No. 237-96

(Amends Sections 66A.3, 66A.9, 66A.17, 66A.19, 66A.22 and 66A.23.)

Finally passed.

[Filing and License Fees, Police Permits]
Ordinance amending Police Code, relating to permit filing fees and permit license fees. (Police Commission)

File 121-96-7, Ordinance No. 238-96

(Amends Sections 2.26, 2.26.1, 2.27, and 2.27.1.)

Finally passed.

[Summer Youth Employment Credit]
Ordinance amending Part III, Articles 12-A (the Payroll Expense Tax Ordinance) and 12-B (the Business Tax Ordinance) of the Municipal Code to provide for credits against those taxes for businesses hiring youths between the ages of 14 and 21 for the summer; and providing that the provisions of these credits expire on December 31, 2001. (Supervisors Yaki, Leal, Ammiano, Bierman, Teng, Alioto, Kaufman, Shelley, Hsieh, Katz, Brown)

File 127-96-5, Ordinance No. 239-96

(Add Sections 906-C and 1005.7.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport Lease Modification, Bank of America]
Ordinance approving Modification of Lease for Bank of America NT & SA Financial Services Lease between Bank of America NT & SA and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-6, Ordinance No.

Passed for second reading.

[Anthony Muschi v. CCSF]
Ordinance authorizing settlement of litigation of Anthony Muschi against the City and County by payment of $27,500. (City Attorney)

File 45-96-30, Ordinance No.

(Superior Court No. 968071.)

Passed for second reading.

[Therese Warde et al., v. CCSF, et al]
Ordinance authorizing settlement of litigation of Therese J. Warde, Mary Clarke, John Clarke, and Matthew Clarke against the City and County by payment of $200,500. (City Attorney)

File 45-96-31, Ordinance No.

(Superior Court No. 963-673.)

Passed for second reading.

Adopted

[Prop J Contract, Convention Facilities Management]
Resolution concurring with Controller's certification that convention facilities management operation and maintenance service can be practically performed at Brooks Hall, Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by City and County employees. (Chief Administrative Officer)

File 25-96-7, Resolution No. 503-96

Adopted.

[Prop J Contract, Security Services]
Resolution concurring with the Controller's certification that security services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-96-8, Resolution No. 504-96

Adopted.

[Prop J Contract, Janitorial Services]
Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-96-9, Resolution No. 505-96

Adopted.

[Settlement of Claim, Shawn Bolan]
Resolution approving the settlement of the unlitigated claim of Shawn Bolan dba Rose Express by payment of $8,722.29. (City Attorney)

File 48-96-13, Resolution No. 507-96

Adopted.

[Settlement of Claim, Michael J. Freeman]
Resolution approving the settlement of the unlitigated claim of Michael J. Freeman by payment of $9,195.45. (City Attorney)

File 48-96-14, Resolution No. 508-96

Adopted.

[Settlement of Claim, David Puente]
Resolution approving the settlement of the unlitigated claim of David Puente by payment of $7,500.00. (City Attorney)

File 48-96-15, Resolution No. 509-96

Adopted.

[Settlement of Claim, Farmers Insurance Group]
Resolution approving the settlement of the unlitigated claim of Farmers Insurance Group by payment of $8,724.00. (City Attorney)

File 48-96-16, Resolution No. 510-96

Adopted.

[Settlement of Claim, USAA Insurance]
Resolution approving the settlement of the unlitigated claim of USAA Insurance by payment of $8,847.61. (City Attorney)

File 48-96-17, Resolution No. 511-96

Adopted.

[Lease of Property at One Jones Street]
Resolution authorizing the month-to-month lease agreement for One Jones Street for the Police Department's Tenderloin Task Force retroactive to March 1, 1995. (Real Estate Department)

File 64-96-4, Resolution No. 513-96

Adopted.

[Lease Renewal, Sixth/Harrison Streets Parking Lot]
Resolution authorizing three renewal leases for parking lots located in the vicinity of Sixth and Harrison Streets described as SFX80-21, SFX80-22, and SFX80-23 for the Police Department and Sheriff retroactive to September 1, 1995. (Real Estate Department)

File 64-96-5, Resolution No. 514-96

Adopted.

[State Grant, Spousal Abuser Prosecution Program]
Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds not to exceed $132,000.00 with no indirect costs available through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the six-month period January 1, 1996 through June 30, 1996. (Supervisor Shelley)

File 138-96-2, Resolution No. 525-96

Adopted.

[Grant Amendment, State Department of Rehabilitation]
Resolution authorizing the Department of Public Health, Division of Community Mental Health Services, to accept and expend a grant in the amount of $201,997 from the State Department of Rehabilitation and to enter into a Cooperative Program Agreement and a Case Service Contract with the San Francisco Department of Rehabilitation District to provide vocational services to mentally-ill psychiatric clients, waiving indirect costs; rescinding Resolution No. 179-96. (Department of Public Health)

File 146-96-3.1, Resolution No. 529-96

Adopted.

[State Grant, Solid Waste Facilities Program]
Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to apply for and accept and expend a grant of $22,000, from the California Integrated Waste Management Board, for the support of the Bureau of Environmental Health Management, Local Enforcement Agency's solid waste facilities permitting and inspection program; waiving indirect cost. (Department of Public Health)

File 146-96-7, Resolution No. 530-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Review of Murals on Landmark Structures]
Ordinance amending City Planning Code, to require review of murals on landmarks or in a historic district. (Supervisor Bierman)

File 115-95-3.1, Ordinance No.

(Amends Sections 1005, 1006, 1006.6 and 1006.7.)

(General Rule Exclusion from environmental review.)

(May 13, 1996 - Referred to Planning Commission with request to report back to the Board on June 10, 1996 with report. Consideration continued to June 10, 1996.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

Rereferred to Committee

[Liquor License/1745 Folsom Street]
Resolution determining that the issuance of a Type 20 Off-Sale Beer and Wine License to Jennifer Kitchen for Rainbow Grocery, located at 1745 Folsom Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-10, Resolution No.

(May 20, 1996 - Consideration continued to June 10, 1996.)

Supervisor Leal, seconded by Supervisor Kaufman, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

NEW BUSINESS

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[MOU - Physicians and Dentists Unit 8CC]
Ordinance amending Ordinance No. 331-94 to implement the provisions of a mediated settlement dated April 24, 1996 between the Union of American Physicians and Dentists for Bargaining Unit 8CC and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-94-22.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[MOU - Physicians and Dentists Unit 11AA]
Ordinance amending Ordinance No. 331-94 to implement the provisions of a mediated settlement dated April 24, 1996 between the Union of American Physicians and Dentists for Bargaining Unit 11AA and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-94-23.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[MOU Amendment, SEIU Locals 250, 535 and 790]
Ordinance amending Ordinance No. 341-94 to implement an amendment to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535, and 250 and the City and County of San Francisco increasing compensation for Classifications 9202 Airport Communications Dispatcher and 9203 Senior Airport Communications Dispatcher to be effective July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-94-29.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[MOU, Local 39, Amendment 3]
Ordinance adopting and implementing the provisions of Amendment No. 3 to the Memorandum of Understanding between the International Union of Operating Engineers Stationary, Local 39 and the City and County to be effective for the period July 1, 1996 through June 30, 1998. (Supervisor Shelley)

File 93-95-28.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Amendment to MOU, Deputy Sheriff's Association]
Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the Deputy Sheriff's Association and the City and County to correct a clerical error for the period July 1, 1995 through June 30, 1998. (Supervisor Shelley)

File 93-95-30.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[MOU, Local 798/Bargaining Unit 1, Amendment 1]
Ordinance amending Ordinance No. 381-95 to implement the provisions of Amendment Number 1 to the Memorandum of Understanding between the Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County to be effective from the date of final Board approval through June 30, 1999. (Supervisor Shelley)

File 93-95-50.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[MOU, Local 798/Bargaining Unit 1, Amendment 2]
Ordinance amending Ordinance No. 381-95 to correct clerical errors by adopting and implementing the provisions of Amendment No. 2 to the Memorandum of Understanding between the Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County to be effective July 1, 1995 through June 30, 1999. (Supervisor Shelley)

File 93-95-50.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[MOU, Local 798/Bargaining Unit 2, Amendment 1]
Ordinance amending Ordinance No. 382-95 to implement the provisions of Amendment No. 1 to the Memorandum of Understanding between the Fire Fighters Union local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County to be effective from the date of final Board approval through June 30, 1999. (Supervisor Shelley)

File 93-95-51.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[MOU, Local 798/Bargaining Unit 2, Amendment 2]
Ordinance amending Ordinance No. 382-95 to correct clerical errors by adopting and implementing the provisions of Amendment Number 2 to the Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County to be effective July 1, 1995 through June 30, 1999. (Supervisor Shelley)

File 93-95-51.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Access to Electronic Information]
Ordinance amending Administrative Code, governing requirements for the release and storage of information stored in electronic form. (Sunshine Ordinance Task Force)

File 97-96-21, Ordinance No.

(Amends Section 67.21.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

Adopted

[Employee Claim]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty, consisting of two claims in the aggregate amount of $592.50. (Government Efficiency and Labor Committee)

File 51-95-4.1, Resolution No. 496-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Prop J Contract, Security Guard Services]
Resolution concurring with the Controller's certification that security guard services at 1380 Howard Street, Suite 1000 can be performed by a private contractor for a lower cost than similar services performed by City and County employees. (Department of Parking and Traffic)

File 25-96-6, Resolution No. 502-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Employee Claim]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty, consisting of four claims in the aggregate amount of $1,172.27. (Government Efficiency and Labor Committee)

File 51-96-1, Resolution No. 512-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Outreach Newspapers, FY 1996-97]
Resolution designating the Small Business Exchange to be outreach newspaper of the City and County of the African-American community; designating the Chinese Times to be outreach newspaper for the City and County for the Chinese community; and designating the El Latino to be outreach newspaper of the City and County for the Hispanic community, commencing July 1, 1996, for outreach advertising. (Purchasing Department, Teng)

File 112-96-2, Resolution No. 523-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Request Granted

Supervisors Teng and Ammiano requested that letter be sent to the Purchaser requesting the he not use the word "foreign" language.

No objection and Clerk directed to comply.

[Grant, Statutory Rape Vertical Prosecution Program]
Resolution authorizing the District Attorney to retroactively apply for, accept and expend grant funds not to exceed the amount of $300,000 including indirect cost not to exceed the amount of $15,000 made available through the California Office of Criminal Justice Planning for the operation of the "Statutory Rape Vertical Prosecution Program" for the twelve month period February 1, 1996 through January 31, 1997. (Supervisors Shelley, Alioto, Teng)

File 138-96-1, Resolution No. 524-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

In connection with the above item, Supervisors Alioto, Teng requested to be added as co-sponsors.

[State Grant, Automobile Insurance Fraud]
Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of $300,000.00 including indirect costs of $15,000.00 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of July 1, 1995 through June 30, 1996. (Supervisor Teng)

File 138-96-3, Resolution No. 526-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

In connection with the above item, Supervisor Teng requested to be added as sponsor.

[State Grant, Theft and Related Crimes]
Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of $234,984, including indirect costs of $11,749 made available through the California Department of Insurance for a project intended to facilitate the prosecution of theft and related crimes for the period of July 1, 1994 to June 30, 1996. (District Attorney)

File 138-96-4, Resolution No. 527-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[State Grant, Worker's Compensation Fraud]
Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of $331,967.00 including indirect costs of $15,808 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Worker's Compensation Fraud" for the period of July 1, 1995 through June 30, 1996. (District Attorney)

File 138-96-5, Resolution No. 528-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Grant - Federal Funds]
Resolution authorizing retroactively the Department of Public Works to apply for, accept and expend $450,000 in federal funds for the Mission Street Lighting Project and waiving indirect costs; and placing $400,000 on reserve. (Supervisors Leal, Kaufman, Bierman, Alioto, Teng)

File 148-96-3, Resolution No. 531-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing member to the Airport Noise Committee, for new three-year term ending September 30, 1996. (Rules Committee)

File 92-93-60.6, Resolution No. 494-96

(Amy Quirk, Seat No. 20515, vice Jerome Sapiro, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Appointments]
Resolution appointing members to the Maternal, Child and Adolescent Health Board, terms expired, for three-year terms ending August 31, 1998. (Rules Committee)

File 92-94-27.7, Resolution No. 495-96

(Margaret O'Sullivan, Seat 22801, vice Malka Kopell;
Lynn Barbaree, Seat 22817, vice Anita DeFrantz;
Tracey Stout, Seat 22809, vice Paul Kulp.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Appointment]
Resolution confirming Mayor's appointment to the Port Commission, for term to expire May 1, 2000. (Mayor)

File 33-96-5, Resolution No. 506-96

(Denise McCarthy, vice Francis J. O'Neil, Seat No. 40204, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Appointments]
Resolution appointing members to the Hazardous Materials Advisory Committee; making findings waiving residency requirement. (Rules Committee)

File 92-96-3.1, Resolution No. 515-96

(Mark Youngkin, Seat 22601, small business, vice Jeremiah Motak, resigned, for the new four-year term ending July 1, 2000;
Mark Galbo, Seat 22604, toxicologist, vice himself, term expired, for new four-year term ending July 1, 1998;
Anthony G. Sacco, Seat 22612, labor organization, vice himself, term expired, for new four-year term ending July 1, 1999.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Appointment]
Resolution appointing member to the Bay Area Library and Information System Advisory Board, for new two-year term ending December 31, 1997. (Rules Committee)

File 92-96-4, Resolution No. 516-96

(Virginia Gee, Seat No. 21301, public-at-large and underserved residents in system, vice Donna Miller Casey, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Appointment]
Resolution appointing member to the Animal Control and Welfare Commission, for new two-year term ending April 30, 1998. (Rules Committee)

File 92-96-15.1, Resolution No. 517-96

(Vic Spain, D.M.V., Seat No. 20707, must be licensed veterinarian, vice Ken Gorczyca, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Appointment]
Resolution appointing member to the National Blue Ribbon Service Commission, for new two-year term ending June 30, 1997. (Rules Committee)

File 92-96-29.1, Resolution No. 518-96

(Raymond Chin, Seat 20404, vice John K. Noonan, term expired June 30, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Appointment]
Resolution appointing member to the Park and Open Space Advisory Committee, for new two-year term ending July 1, 1998. (Rules Committee)

File 92-96-30.1, Resolution No. 519-96

(Julie Viera, Seat No. 23305, S.F. Beautiful representative, vice herself, term expired July 1, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Appointment]
Resolution appointing member to the Hazardous Materials Advisory Committee, for new four-year term ending July 1, 2000. (Rules Committee)

File 92-96-32.1, Resolution No. 520-96

(Donald Lapin, Seat 22621, open seat.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

Called from Budget Committee by the Board

Adopted

[ABAG Finance Authority Membership]
Resolution approving, authorizing and directing the execution and delivery of a Joint Exercise of Powers Agreement relating to the ABAG Finance Authority for Nonprofit Corporations, acknowledging and approving the by-laws thereof (including an indemnity contained therein), appointing a representative to the governing board thereof, authorizing the Board of Supervisors or the Mayor's Office to hold public hearings required by Section 147(f) of the Internal Revenue Code of 1986 in connection with projects to be located within the City and finance by the ABAG Finance Authority for Nonprofit Corporations, and designating either the Board of Supervisors or the Mayor as the applicable elected representative for purposes of Section 147(f) of the Internal Revenue Code of 1986.
(Supervisors Kaufman, Hsieh, Bierman, Teng)

File 241-96-1, Resolution No. 532-96

(May 28, 1996 - Rereferred to Budget Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that a reclassification from a P (Public) to an NC-3 (Moderate-Scale Neighborhood Commercial) District, conversion of a vacant, approximately 185,000 gross square foot office building to a school for students from pre-kindergarten through twelfth grade (National Center for International Schools), demolition of existing structures and construction of a gymnasium, and provision of parking for 115 automobiles for the property located at 129 and 150 Oak Street and 289 Fell Street, Assessor's Block 833, Lots 3 and 15 and Assessor's Block 837, Lots 18, 19 and 20, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Supervisors Kaufman, Hsieh, Bierman, Teng)

File 241-96-2, Resolution No. 533-96

(May 28, 1996 - Rereferred to Budget Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

[TEFRA AND NCIS Project Approval]
Resolution approving the execution and delivery of not to exceed $22 million aggregate principal amount of Certificates of Participation for the financing of the National Center for International Schools Project; companion measure to File 241-96-2. (Supervisors Kaufman, Hsieh, Bierman, Teng)

File 241-96-3, Resolution No. 534-96

(May 28, 1996 - Public hearing held. Rereferred to Budget Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Katz - 2.

At the request of the City Attorney, clerical correction to page two, line six, by replacing "the date of adoption of this Resolution" with "May 28, 1996" (to indicate the date the Board of Supervisors held a duly noticed public hearing).

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Espanola Jackson;
Gary Hicks, civil service issue;
Leboriae P. Smoore, constitution for poor, police brutality;
Zander, supports pay raise for supervisors;
Keith McHenry, Robert Kahn's arrest for feeding the homeless;
Connie Kuruppv, support committee to reform Innovative Housing;
Jeffrey E. Auman, police harassment of homeless;
Lisa Fitts, supports senior housing in Bayview;
Wendy, police harassment.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Appointment]
Resolution appointing Supervisor Michael Yaki as member to the San Mateo/City and County of San Francisco Joint Task Force. (Supervisor Shelley)

File 92-96-33, Resolution No. 521-96

(June 3, 1996 - Introduced in Board for consideration on June 10, 1996.)

Adopted.

[Appointment]
Resolution appointing Supervisor Kevin Shelley as member to the San Mateo/City and County of San Francisco Joint Task Force. (Supervisor Shelley)

File 92-96-34, Resolution No. 522-96

(June 3, 1996 - Introduced in Board for consideration on June 10, 1996.)

Adopted.

[Federal Legislation - H.R. 969]
Resolution supporting H.R. 969 (Oberstar) that would prohibit smoking on any scheduled airline flight segment in intrastate, interstate, or foreign air transportation. (Supervisor Alioto)

File 13-96-24, Resolution No. 499-96

(June 3, 1996 - Introduced in Board for consideration on June 10, 1996.)

Adopted.

[Cigarettes - List Ingredients]
Resolution urging the Food and Drug Administration to establish regulations requiring the listing of all ingredients contained in cigarettes on all cigarette packaging. (Supervisor Alioto)

File 13-96-25, Resolution No. 500-96

(June 3, 1996 - Introduced in Board for consideration on June 10, 1996.)

Adopted.

[Cigarettes - Rating Tar/Nicotine Levels]
Resolution urging the Federal Food and Drug Administration to establish regulations requiring the rating of tar and nicotine levels contained in cigarettes. (Supervisor Alioto)

File 13-96-26, Resolution No. 501-96

(June 3, 1996 - Introduced in Board for consideration on June 10, 1996.)

Adopted.

[California Women's Agenda/Contract]
Resolution supporting the goals and purposes of the proposed California Women's Agenda and the Contract with Women of the USA. (Supervisors Kaufman, Shelley, Alioto, Leal, Teng)

File 242-96-1, Resolution No. 535-96

(June 3, 1996 - Introduced in Board for consideration on June 10, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Teng requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Katz, Leal - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-24, Resolution No. 497-96

(Willie L. Brown, Jr., Mayor, Office of the Mayor, June 4 - 7; Sherry Agnos, Commissioner, Public Library, June 3 - 6; Henry E. Berman, President, Airports Commission, June 14 - 20; Patricia Chang, Commissioner, Commission on the Status of Women, June 11 - 25; Robert L. Demmons, Chief, Fire Department, May 30 - June 1; Larry Mazzola, Commissioner, Airports Commission, June 12 - 16; John E. Newlin, Executive Director, Department of Parking and Traffic, June 19; Jane E. Rubin, Executive Director, Ethics Commission, June 5 - 9; Harriet Salarno, Commissioner, Juvenile Probation Commission, June 3 - 6; Fran A. Streets, Commissioner, Public Library, June 4 - 6; Lynette Sweet, Commissioner, Redevelopment Agency, June 1 - 6, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Katz, Leal - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolution being considered at this time are purely commendatory.

Supervisor Brown, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Katz, Leal - 3.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Brown, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Katz, Leal - 3.

[Imperative Resolutions]

Adopted

[Commend Herb Caen]
Resolution commending Herb Caen and declaring June 14, 1996 Herb Caen Day.

File 006-96-087, Resolution No. 536-96

Supervisors Shelley, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Katz, Leal - 3.

[Commend Douglas Shorenstein]
Resolution commending Doug Shorenstein and the Shorenstein Volunteers and declaring June 12, 1996 "Douglas Shorenstein Day".

File 006-96-088, Resolution No. 498-96

Supervisors Teng, Shelley, Yaki, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Katz, Leal - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[MOU, District Attorney Investigators]
Ordinance amending Ordinance No. 133-95 to implement the provisions of a mediated settlement dated May 24, 1996 between the District Attorney Investigators Association and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the special meeting of June 13, 1996.

File 093-95-025.02.

[MOU, Local 21]
Ordinance amending Ordinance No. 221-95 to implement the provisions of an Arbitrator's Award between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the special meeting of June 13, 1996.

File 093-95-035.04.

[MOU, Local 38]
Ordinance amending Ordinance No. 168-96 to correct clerical errors by adopting and implementing the provision of Amendment Number 1 to the Memorandum of Understanding between Plumbing and Pipe Fitting Industry, Local 38 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the special meeting of June 13, 1996.

File 093-96-010.01.

[MOU, Local 104]
Ordinance implementing the provisions of a mediated settlement between the Sheetmetal Workers International Union, Local 104 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the special meeting of June 13, 1996.

File 093-96-022.

[MOU, Local 6, Electrical Workers]
Ordinance implementing the provision of Arbitrator's Award between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the special meeting of June 13, 1996.

File 093-96-023.

[MOU, Local 856, Probation Officers Association]
Ordinance implementing the provisions of a mediated settlement approved by the panel of arbitrators between the Probation Officers Association, Teamsters Local 856 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the special meeting of June 13, 1996.

File 093-96-024.

[Vested Leave Balances, Adult/Juvenile Probation]
Ordinance providing for the transfer of vested sick leave and vacation balances by qualifying employees of the Adult and Juvenile Probation Departments to reduce shortages in their City retirement accounts in order to facilitate the transfer of prior service to the California Public Employees' Retirement System pursuant to Charter Section A8.506.2. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the special meeting of June 13, 1996.

File 093-96-025.

[Colorado Product Ban Repeal]
Ordinance rescinding San Francisco Administrative Code Sections 10.240, 10.241, 10.242, 10.243, 10.244, 10.245, 10.246 and 10.247 by deleting the sections to remove restrictions prohibiting the city from purchasing any commodity manufactured or produced in the State of Colorado. Supervisors Ammiano, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 097-96-037.

[Parking Revenue Fund]
Ordinance amending Traffic Code Section 213 relating to use of monies in parking meter revenue account concerning general fund amount for fiscal year 1996-97. Supervisor Hsieh presented. Referred to Budget Committee.

File 124-96-005.

Referred to Board

[National Homecare Systems, Inc.]
Resolution recognizing the modification to Contract #087 reflecting the name change from National Homecare Systems, Inc. to Addus Healthcare (In-Home Supportive Services). Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 172-94-014.01.

[Commend Students for Positive Action]
Resolution commending Students for Positive Action at McAteer who have volunteered their time and efforts to improve their school and the surrounding Miraloma community and noting that their contributions are greatly valued by the City and County of San Francisco. Supervisors Kaufman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 006-96-089.

[Commend Old Uncle Gaylord's Ice Cream Parlor]
Resolution commending the Ly Family and Old Uncle Gaylord's Ice Cream Parlor. Supervisors Teng, Yaki, Shelley, Brown, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 006-96-090.

[Commend Statewide Campaign]
Resolution commending the Statewide Campaign to defeat the California Civil Rights Initiative and its efforts to organize against CCRI and welcoming Northern Californians to San Francisco for a regional organizing meeting June 22, 1996. Supervisors Teng, Brown, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 006-96-091.

[Commend Frederick Meyers]
Resolution honoring Dr. Frederick Meyers for his professional and civic contributions. Supervisors Yaki, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 006-96-092.

[Clean Air Pilot Project]
Resolution urging the Public Transportation Commission and the Executive Director of the Municipal Railway to develop a pilot project to implement the 1993 Transportation Fund or Clean Air (TFCA) grant in the amount of $510,000; allowing for the purchase of alternative fuel vans or mini-buses on under-utilized Municipal Railway bus routes; with a written report on the status of the project transmitted to the Board of Supervisors and to the Mayor no later than July 10, 1996. Supervisors Yaki, Leal, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 007-96-002.01.

[GAIN Funding]
Resolution urging the State Legislature and Governor to fully fund the GAIN (Greater Avenue to Independence) program. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 012-96-031.

Referred to Committee

[Environmental Health Assessment] Resolution endorsing an environmental health assessment research project in the Bayview Hunters Point Community. Supervisors Yaki, Brown, Bierman, Leal, Katz, Ammiano, Kaufman, Teng, Alioto, Hsieh presented. Referred to Health/Public Safety/Environment Committee.

File 030-96-011.

Referred to Board

[Grant, Federal Funds]
Resolution authorizing the Chief Administrative Officer to apply for $2,490,910 from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs. Supervisors Leal, Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 133-96-004.01.

[Municipalization Study Contract]
Resolution urging the Mayor to urge the Public Utilities Commission to terminate immediately the contract with Economic & Technical Analysis Group for the study of the municipalization of the electric system in the City and County and to thoroughly review and reevaluate the information provided by the Technical Review Committee supporting its recommendation of J.W. Wilson & Associates, Inc. to conduct the municipalization study. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 191-96-003.

[Tobacco Litigation Contingent Fee]
Resolution approving contingency fee agreement in City and County of San Francisco, et al, v. Philip Morris, Inc., et al. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 194-96-001.01.

Referred to Committee

[Public Housing]
Resolution urging the San Francisco Housing Authority to reconsider and reinstate its policy of providing priority in access to public housing to victims of domestic violence in emergency cases. Supervisors Kaufman, Leal, Ammiano, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 206-96-003.

Referred to Board

[Court Appointed Special Advocates]
Resolution acknowledging the award of a grant by the California Judicial Council to the San Francisco Court Appointed Special Advocates. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 256-96-001.

[Lease, 721 Irving Street]
Resolution urging the landlord of 721 Irving Street to reconsider the eviction notice of Old Uncle Gaylord's Ice Cream Parlor and renegotiate a lease with the Ly family. Supervisors Teng, Yaki, Shelley, Brown, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 265-96-001.01.

Requests for Hearings:

[Name Change, Rankin Pump Station]
Hearing to consider renaming the Rankin Pump Station in honor of the late Bruce Flynn, City Architect. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee.

File 200-96-004.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar June 17, 1996.

File 030-96-001.11.

Referred to Committee

[Rules of Order, New Edition]
Motion amending the Rules of Order of the Board of Supervisors by adopting a new edition of the Rules. Supervisor Shelley presented. Referred to Rules Committee.

File 056-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-96-004. [Sidewalk Width Regulations, Fulton Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the width of sidewalks" by adding thereto Section No. 1524 changing the official sidewalk width on the south side of Fulton Street west of Stanyan Street, as shown on the Department of Public Works drawing labeled Q-20-438 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 034-96-005. [Sidewalk Width Regulations, Langton Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the width of sidewalks" by adding thereto Section No. 1525 establishing the official sidewalk width on the northeasterly side of Langton Street, southeasterly of Bryant Street, to the southerly terminus of Langton Street, as shown on the Department Public Works drawing labeled Q-20-448 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 045-96-034. [W. Chapot Construction Co., Inc. v. CCSF] Ordinance authorizing settlement of litigation of W. Chapot Construction Co., Inc. against the City and County of San Francisco by payment of $27,500. (Superior Court No. 969-729). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-035. [Settlement of Tax Refund Litigation, GTE Sprint] Ordinance authorizing the City Attorney to sign a settlement agreement with GTE Sprint Communications Corporation in settlement of a refund claim in the sum of $339,865 (consisting of approximately $227,561 in tax to be refunded and $112,304 interest) to be offset against GTE Sprint Communication Corporation's 1995 tax liability of approximately $310,104 with the remaining approximately $29,761 to be paid in cash no later than September 1, 1996. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-036. [Jensen v. CCSF, et al.] Ordinance authorizing settlement of litigation in the matter entitled Jensen v. City and County of San Francisco, et al., by payment of $80,000. (Superior Court No. 971-309). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-96-021. [Amendment to Memorandum of Understanding] Ordinance implementing the provisions of an amendment to Memorandum of Understanding between the Transport Workers of America, Local 250A (7410 Automotive Service Worker) and the Transport Workers of America, Local 200 and the Machinists Union Lodge No. 1414 and the Building Material and Construction Teamsters, Local 216 and the Laborers Union, Local 261 and the International Brotherhood of Electrical Workers, Local 6 and the Service Employees International Union, Local 790 and the Stationary Engineers, Local 39 and the City and County of San Francisco providing for employee assistance for the period June 30, 1996 through June 30, 1997. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 106-96-002. [Compensation, Superior Court, FY 1996-97] Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court for the City and County of San Francisco. (Superior Court) Referred to Government Efficiency/Labor Committee.

File 106-96-003. [Compensation, Municipal Court, FY 1996-97] Ordinance setting schedules of compensation and other economic benefits for fiscal year 1996-97 for certain classifications of persons employed by the Municipal Court for the City and County of San Francisco. (Municipal Court) Referred to Government Efficiency/Labor Committee.

File 172-96-018. [Medical Services Contract] Ordinance authorizing the Director of Public Health to execute an agreement with the San Francisco Health Plan for the Department of Public Health to provide services to San Francisco Health Plan members, which agreement includes binding arbitration and hold harmless clauses. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-96-019. [Medical Services Contract] Ordinance authorizing the Director of Public Health to execute an agreement with the California Department of Corrections for the Department of Public Health to provide services to inmates at the Elizabeth Frye Center, which agreement includes binding arbitration and indemnification clauses. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 025-96-011. [Prop J Contract, Prime Vendor Distribution Program] Resolution concurring with the Controller's certification that the procurement and distribution of supplies can be practically performed for the Purchaser's Office on behalf of the Department of Public Health by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 040-96-015. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 041-96-001. [Inspection/Reinspection Fee Liens, Fire Dept.] Resolution confirming report of delinquent charges for inspection and reinspection fees submitted by the Fire Department, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Fire Department) Scheduled for public hearing before Board on July 29, 1996, at 3:00 p.m.

File 064-96-007. [Lease of Property at 30 Van Ness Avenue] Resolution authorizing a lease of real property at 30 Van Ness Avenue, San Francisco, for the Department of Social Services. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-96-008. [Lease of Property at 3801 Third Street] Resolution authorizing a lease of real property at 3801 Third Street, San Francisco, for the Department of Public Works. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that City Attorney prepare a citywide truancy ordinance.

By Supervisors Teng, Yaki, Shelley, Brown, Ammiano, that City Attorney prepare resolution imposing interim zoning controls to prohibit the introduction of additional establishments or any expansion of existing establishments selling alcoholic beverages in the area generally bordered by Lincoln Way, Seventh Avenue, Kirkham and 19th Avenues.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

James Harvey (By the entire Board)
Andrew Hagopian (Supervisor Alioto)
Carmen Kochoo (Supervisor Shelley)
Constance Wofsey (Supervisor Ammiano)

File 2-96-24

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:07 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 22, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 17, 1996

/96

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 25

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 17, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:21 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Noted absent at first roll call:

Supervisor Teng - 1.

Quorum present.

Supervisor Teng excused, on official leave of absence.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Leal, seconded by Supervisor Yaki, moved that the Journal of Proceedings for Monday, May 13, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Presentation of Guests
Suspension of the Rules

Supervisor Kaufman introduced and welcomed Ms. Ann Bjornsen and a group of students from McAteer High School who are here in connection with the resolution being considered today commending Students for Positive Action at McAteer. (See infra.)

Supervisor Kaufman, seconded by Supervisor Leal, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to teacher, Ann Bjornsen.

No objection and motion carried.

Ms. Bjornsen thanked the Board of Supervisors for recognizing the program and the efforts of the students who have volunteered their time and efforts to improve their school and the surrounding Miraloma community.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Ammiano requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading as Amended

[Settlement of Tax Refund Litigation, GTE Sprint]
Ordinance authorizing the City Attorney to sign a settlement agreement with GTE Sprint Communications Corporation in settlement of a refund claim in the sum of $339,865 (consisting of approximately $227,561 in tax to be refunded and $112,304 interest) to be offset against GTE Sprint Communication

Corporation's 1995 tax liability of approximately (($310,104)) $242,910 with the remaining approximately (($29,761)) $96,955 to be paid in cash no later than September 1, 1996. (City Attorney)

File 45-96-35, Ordinance No.

Supervisor Ammiano, seconded by Supervisor Leal, moved to amend title, line 6, by replacing "$310,104" with "242,910" and line 7, by replacing "$29,761" with "$96,955"; amend line 18 by replacing "$29,761" with "$96,955".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Adopted

[Federal Funding - Emergency Shelter]
Resolution approving an amendment to the 1996 Emergency Shelter Grants Program, approving Addendum No. 1 to the expenditure schedule for recipient agencies, and determining that no environmental evaluation is required. (Mayor's Office of Community Development)

File 68-95-9.2, Resolution No. 538-96

Adopted.

[Amendment, 1996 Community Development Program]
Resolution approving an amendment to the 1996 Community Development Program by (1) authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend $1,893,400 in additional Community Development Block Grant funds and transfer $297,269 from reprogrammed funds and existing contingencies under the City's 1996 Community Development Block Grant (CDBG) Program from the U.S. Department of Housing and Urban Development, (2) approving Addendum No. 1 to the expenditure schedule for recipient departments and agencies previously approved by the Board of Supervisors, and (3) authorizing the Mayor to designate individual(s) to act as certifying officer for federal environmental review. (Supervisors Shelley, Kaufman, Hsieh)

File 79-95-6.1, Resolution No. 539-96

Adopted.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[MOU - Physicians and Dentists Unit 8CC]
Ordinance amending Ordinance No. 331-94 to implement the provisions of a mediated settlement dated April 24, 1996 between the Union of American Physicians and Dentists for Bargaining Unit 8CC and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-94-22.2, Ordinance No. 240-96

Finally passed.

[MOU - Physicians and Dentists Unit 11AA]
Ordinance amending Ordinance No. 331-94 to implement the provisions of a mediated settlement dated April 24, 1996 between the Union of American Physicians and Dentists for Bargaining Unit 11AA and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-94-23.2, Ordinance No. 241-96

Finally passed.

[MOU Amendment, SEIU Locals 250, 535 and 790]
Ordinance amending Ordinance No. 341-94 to implement an amendment to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535, and 250 and the City and County of San Francisco increasing compensation for Classifications 9202 Airport Communications Dispatcher and 9203 Senior Airport Communications Dispatcher to be effective July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-94-29.2, Ordinance No. 242-96

Finally passed.

[MOU, Local 39, Amendment 3]
Ordinance adopting and implementing the provisions of Amendment No. 3 to the Memorandum of Understanding between the International Union of Operating Engineers Stationary, Local 39 and the City and County to be effective for the period July 1, 1996 through June 30, 1998. (Supervisor Shelley)

File 93-95-28.2, Ordinance No. 243-96

Finally passed.

[Amendment to MOU, Deputy Sheriff's Association]
Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the Deputy Sheriff's Association and the City and County to correct a clerical error for the period July 1, 1995 through June 30, 1998. (Supervisor Shelley)

File 93-95-30.1, Ordinance No. 244-96

Finally passed.

[MOU, Local 798/Bargaining Unit 1, Amendment 1]
Ordinance amending Ordinance No. 381-95 to implement the provisions of Amendment Number 1 to the Memorandum of Understanding between the Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County to be effective from the date of final Board approval through June 30, 1999. (Supervisor Shelley)

File 93-95-50.1, Ordinance No. 245-96

Finally passed.

[MOU, Local 798/Bargaining Unit 1, Amendment 2]
Ordinance amending Ordinance No. 381-95 to correct clerical errors by adopting and implementing the provisions of Amendment No. 2 to the Memorandum of Understanding between the Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County to be effective July 1, 1995 through June 30, 1999. (Supervisor Shelley)

File 93-95-50.2, Ordinance No. 246-96

Finally passed.

[MOU, Local 798/Bargaining Unit 2, Amendment 1]
Ordinance amending Ordinance No. 382-95 to implement the provisions of Amendment No. 1 to the Memorandum of Understanding between the Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County to be effective from the date of final Board approval through June 30, 1999. (Supervisor Shelley)

File 93-95-51.1, Ordinance No. 247-96

Finally passed.

[MOU, Local 798/Bargaining Unit 2, Amendment 2]
Ordinance amending Ordinance No. 382-95 to correct clerical errors by adopting and implementing the provisions of Amendment Number 2 to the Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County to be effective July 1, 1995 through June 30, 1999. (Supervisor Shelley)

File 93-95-51.2, Ordinance No. 248-96

Finally passed.

[Airport Lease Modification, Bank of America]
Ordinance approving Modification of Lease for Bank of America NT & SA Financial Services lease between Bank of America NT & SA and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-6, Ordinance No. 250-96

Finally passed.

[Anthony Muschi v. CCSF]
Ordinance authorizing settlement of litigation of Anthony Muschi against the City and County by payment of $27,500. (City Attorney)

File 45-96-30, Ordinance No. 251-96

(Superior Court No. 968071.)

Finally passed.

[Therese Warde et al., v. CCSF, et al]
Ordinance authorizing settlement of litigation of Therese J. Warde, Mary Clarke, John Clarke, and Matthew Clarke against the City and County by payment of $200,500. (City Attorney)

File 45-96-31, Ordinance No. 252-96

(Superior Court No. 963-673.)

Finally passed.

[Access to Electronic Information]
Ordinance amending Administrative Code, governing requirements for the release and storage of information stored in electronic form. (Sunshine Ordinance Task Force)

File 97-96-21, Ordinance No. 253-96

(Amends Section 67.21.)

Finally passed.

Passed for Second Reading

[Furnelli dba Solid Gold, Inc. v. CCSF, et al.]
Ordinance approving a settlement between Elizabeth Furnelli dba Solid Gold, Inc. and the City and County, the Police Department, the Chief of Police and the Board of Permit Appeals involving removal of permit restrictions previously imposed by the Board of Permit Appeals. (City Attorney)

File 45-96-32, Ordinance No.

(USDC Northern District of California No. C-95-3517 SAW.)

Passed for second reading.

[Scott Davis v. CCSF]
Ordinance authorizing settlement of litigation of Scott Davis against the City and County by payment of $15,000. (City Attorney)

File 45-96-33, Ordinance No.

(Superior Court No. 952-773.)

Passed for second reading.

[W. Chapot Construction Co., Inc. v. CCSF]
Ordinance authorizing settlement of litigation of W. Chapot Construction Co., Inc. against the City and County by payment of $27,500. (City Attorney)

File 45-96-34, Ordinance No.

(Superior Court No. 969-729.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation in the matter entitled Jensen v. the City and County, et al., for $80,000. (City Attorney)

File 45-96-36, Ordinance No.

(Superior Court No. 971-309.)

Passed for second reading.

[Lease Modification]
Ordinance approving reaffirmation and first amendment to lease and consent to encumbrance with Bundox Restaurant, Inc., DBA the Waterfront Restaurant at Pier 7-1/2 (Broadway and the Embarcadero). (Supervisor Kaufman)

File 65-96-10, Ordinance No.

Passed for second reading.

[Medical Services Contract]
Ordinance authorizing the Director of Public Health to execute an agreement with Blue Cross of California for the Department of Public Health to provide services to Blue Cross Medi-Cal Managed Care subscribers, which agreement includes binding arbitration and indemnification clauses. (Department of Public Health)

File 172-96-16, Ordinance No.

Passed for second reading.

Adopted

[Parking Regulations]
Resolution enacting parking regulations on 23rd Street and Potrero Avenue. (Government Efficiency and Labor Committee)

File 19-96-5, Resolution No. 551-96

(Two-Hour Parking Time Limit, 8AM - 6 PM, Monday Through Friday - Establish
23rd Street, north side, between Potrero Avenue and Vermont Street;
Potrero Avenue, east side, between 20th and 23rd Streets.)

Adopted.

[Prop J Contract, Shuttle Bus Services]
Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the fiscal year commencing July 1, 1996 than if work were performed by City and County employees. (Airport)

File 25-96-10, Resolution No. 555-96

Adopted.

[Residential Parking Area "W," Potrero Hill]
Resolution establishing Residential Permit Parking Area "W" in the Potrero Hill Area, setting the boundaries therefor and the applicable time limitations. (Department of Parking and Traffic)

File 40-96-3, Resolution No. 556-96

Adopted.

[Parking Rates for Hospital]
Resolution approving parking rates for the San Francisco General Hospital Medical Center Parking System. (Department of Parking and Traffic)

File 47-96-7, Resolution No. 559-96

Adopted.

[Settlement of Claim, William T. Wandall]
Resolution approving the settlement of the unlitigated claim of William T. Wandall by payment of $6,333.00. (City Attorney)

File 48-96-18, Resolution No. 560-96

Adopted.

[Settlement of Claim, Theresa Thompson]
Resolution approving the settlement of the unlitigated claim of Theresa Thompson by payment of $27,000. (City Attorney)

File 48-96-19, Resolution No. 561-96

Adopted.

[SDI Coverage, 1675 Supervising Fiscal Officer]
Resolution authorizing enrollment of classification(s) 1675 Supervising Fiscal Officer in the State Disability Insurance Program. (Department of Human Resources)

File 89-96-3, Resolution No. 562-96

Adopted.

Recommendations of Housing and Land Use Committee

Finally Passed

[Review of Murals on Landmark Structures]
Ordinance amending City Planning Code, to require review of murals on landmarks or in a historic district. (Supervisor Bierman)

File 115-95-3.1, Ordinance No. 249-96

(Amends Sections 1005, 1006, 1006.6 and 1006.7.)

(May 13, 1996 - Referred to Planning Commission with request to report back to the Board on June 10, 1996 with report.)

(General Rule Exclusion from environmental review.)

Finally passed.

Adopted

[Stop Intersections]
Resolution designating certain intersections as stop intersections. (Housing and Land Use Committee)

File 18-96-8, Resolution No. 550-96

(Thirty-Third Avenue and Ulloa Street, northwest and southeast corners, stopping Thirty-Third Avenue (makes this an all-way stop).

Delano and Niagara Avenues, northeast and southwest corners, stopping Niagara Avenue traffic (makes this an all-way stop).

Jennings Street and Key Avenue, northwest and southeast corners, stopping Jennings Street traffic (makes this a two-way stop).

Jennings Street and Le Conte Avenue, all corners, stopping all approaches (makes this an all-way stop).

Octavia and Vallejo Streets, northeast and southwest corners, stopping Vallejo Street (makes this an all-way stop).

Thornton Avenue, Ledyard Street, and Vesta Street, northwest and southeast corners, stopping Thornton Avenue traffic (makes this an all-way stop).)

Adopted.

[Van Pool Parking, Washington Street]
Resolution rescinding van pool parking regulations on Washington Street. (Housing and Land Use Committee)

File 19-96-8, Resolution No. 552-96

(Van Pool Parking 6 AM - 9 AM, Monday through Friday - rescind

(Washington Street, south side, from 9 feet to 53 feet east of Battery Street (44-foot zone at meter nos. 343 and 347, to be replaced with 12 motorcycle stalls);

Washington Street, south side, from 97 feet to 160 feet east of Battery Street (63-foot zone at meter nos. 327, 331, and 335, to be replaced with 18 motorcycle stalls).)

Adopted.

[Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-7, Resolution No. 553-96

(Bicycle Lanes - Establish
Mansell Street, both sides, between San Bruno Avenue and University Street.

Webster Street, both sides, between Bush and Grove Streets.

No Turn on Red, 9 a.m. - 5 p.m., Monday Through Friday - Establish
Hayes Street, westbound, at Van Ness Avenue.

No U-Turns - Establish
Holloway Avenue, eastbound and westbound, at Varela Avenue.

Tow-Away, No Stopping, 3 p.m. - 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 7 a.m. - 9 a.m. and 3 p.m. - 7 p.m., Monday Through Friday - Establish
Fremont Street, east side, from 140 feet to 416 feet south of Market Street (276-foot zone, adds morning tow-away and extends evening tow-away to 7 p.m.)

Tow-Away, No Stopping Anytime - Establish
Fremont Street, east side, from Mission Street to 134 feet northerly (134-foot zone).

Turk Street, north side, from Baker Street to 70 feet easterly (70-foot zone).)

Adopted.

[Residential Parking Area "J", Sunset/Parnassus]
Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding Parnassus Avenue, between Shrader and Cole Streets, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-10, Resolution No. 557-96

Adopted.

[Residential Parking Area "S", Duboce Triangle]
Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Church Street, between Eighteenth and Nineteenth Streets, west side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-11, Resolution No. 558-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Housing and Land Use Committee
Without Recommendation

(Only one of the following two motions should be adopted.)

Tabled

[Appeal, Sidewalk Encroachment, 818 Sanchez Street]
Motion denying the appeal of a decision of the Director of Public Works which granted the issuance of a minor sidewalk encroachment permit to occupy, construct and maintain within the unimproved portion of the public right-of-way fronting the property at 818 Sanchez Street the following four encroachments (1) low (less than 4' high) retaining walls, (2) concrete walk and steps with decorative pavers; (3) driveway with decorative pavers for egress and ingress to subject property; and (4) landscaping and irrigation; sustaining decision of the Director of Public Works and granting issuance of permit. (Housing and Land Use Committee)

File 24-96-2

(May 28, 1996 - Consideration continued to June 17, 1996.)

Supervisor Kaufman, seconded by Supervisor Yaki, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted

[Encroachment Permit, 818 Sanchez Street]
Motion upholding the appeal of a decision by the Director of Public Works, which granted the issuance of a minor sidewalk encroachment permit to occupy, construct, and maintain within the unimproved portion of the public right-of-way fronting the property at 818 Sanchez Street the following four encroachments (1) low (less than 4' high) retaining walls, (2) concrete walk and steps with decorative pavers; (3) driveway with decorative pavers for egress and ingress to subject property; and (4) landscaping and irrigation and denying issuance of permit. (Housing and Land Use Committee)

File 24-96-2.1

(May 28, 1996 - Consideration continued to June 17, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Yaki - 7.

Noes: Supervisors Hsieh, Leal, Shelley - 3.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

The President resumed the Chair shortly thereafter.

From City Planning Commission

(Only one of the following two Motions should be adopted.)

(Supervisor Hsieh Excused from Voting.)
(See Journal of Proceedings of May 6, 1996.)

Adopted as Divided

[Appeal, Wireless Transmission Facilities]
((Motion approving decision of the City Planning Commission by its Motions 14067, 14068, 14069, 14070 and 14072 approving Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C, on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive.)) (Clerk of the Board)

Motion approving decision of the City Planning Commission by its Motions 14068, 14069 and 14070 approving Conditional Use Applications 95.389C, 95.390C, and 95.391C on properties located at 6143-6153 Geary Boulevard, 2696 Geary Boulevard and 1400 Lombard Street.

File 37-96-1.1

(June 3, 1996 - Consideration continued to June 17, 1996.)

At the request of Supervisor Yaki, the question was divided concerning 1700 Haight Street and 669-677 Portola Drive, so the matter could be considered separately.

The roll was then called on the main motion and it was adopted as divided, by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Consideration Continued as Divided

[Zoning Appeal]
Motion approving decision of the City Planning Commission by its Motions 14067 and 14072 approving Conditional Use Applications 95.348C and 95.393C, on properties located at 1700 Haight Street and 669-677 Portola Drive.

File 37-96-1.4

Supervisor Yaki, seconded by Supervisor Kaufman, moved to continue consideration to July 1, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Tabled As Divided

[Appeal, Wireless Transmission Facilities]
((Motion disapproving decision of the City Planning Commission by its Motions 14067, 14068, 14069, 14070 and 14072 approving Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C, on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive.)) (Clerk of the Board)

Motion disapproving decision of the City Planning Commission by its Motions 14068, 14069 and 14070 approving Conditional Use Applications 95.389C, 95.390C, and 95.391C on properties located at 6143-6153 Geary Boulevard, 2696 Geary Boulevard and 1400 Lombard Street.

File 37-96-1.2

(June 3, 1996 - Consideration continued to June 17, 1996.)

At the request of Supervisor Yaki, the question was divided concerning 1770 Haight Street and 669-677 Portola Drive, so the matter could be considered separately.

Supervisor Yaki, seconded by Supervisor Kaufman, moved to table, the main motion, as divided.

Tabled by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Consideration Continued as Divided

[Zoning Appeal]
((Motion disapproving decision of the City Planning Commission by its Motions 14067 and 14072 approving Conditional Use Applications 95.348C and 95.393C, on properties located at 1700 Haight Street and 669-677 Portola Drive.

File 37-96-1.5

Supervisor Yaki, seconded by Supervisor Kaufman, moved to continue consideration as divided to July 1, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Adopted as Divided

[Findings]
((Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Applications 95.348C, 95.389C, 95.390C, 95.391C and 95.393C, on properties located at 1700 Haight Street, 6143-6153 Geary Boulevard, 2696 Geary Boulevard, 1400 Lombard Street and 669-677 Portola Drive, for action by the Board at its next meeting.)) (Clerk of the Board)

File 37-96-1.3

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Applications 95.389C, 95.390C and 95.391C, on properties located at 6143-6153 Geary Boulevard, 2696 Geary Boulevard and 1400 Lombard Street, for action by the Board at its next meeting.

(June 3, 1996 - Consideration continued to June 17, 1996.)

At the request of Supervisor Yaki, the question was divided concerning 1700 Haight Street and 669-677 Portola Drive, so the matter could be considered separately.

The roll was then called on the main motion and it was adopted as divided, by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Consideration Continued as Divided

[Zoning Appeal]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Applications 95.348C and 95.393C, on properties located at 1700 Haight Street and 669-677 Portola Drive, for action by the Board at its next meeting.

File 37-96-1.6

Supervisor Yaki, seconded by Supervisor Kaufman, moved to continue consideration to July 1, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading as Amended

[Interim Annual Appropriation Ordinance, Fiscal Year 1996-97] Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County for fiscal year ending June 30, 1997. (Mayor)

File 101-96-1, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Bierman, moved to amend page 109, Section 15, to identify the first paragraph as "(a)" and to add the following two paragraphs:

(b) There shall be a Department of Telecommunications and Information Services. The Mayor shall appoint and may remove at his or her pleasure a Director of Telecommunications and Information Services to administer the Department. The Department shall have such duties as are assigned by the Mayor or by ordinance.

(c) There shall be a Department of Business and Economic Development. The Mayor shall appoint and may remove at his or her pleasure a Director of Business and Economic Development to administer the Department. The Department shall have such duties as are assigned by the Mayor or by ordinance.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Passed for Second Reading

[Interim Annual Salary Ordinance, Fiscal Year 1996-97]
Interim Annual Salary Ordinance for fiscal year ending June 30, 1997 entitled "An ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1997, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or state law for which compensations are paid from City and County funds and appropriated in the annual appropriation ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Department of Human Resources)

File 102-96-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Passed for Second Reading as Amended

[Art Enrichment]
((Ordinance amending Administrative Code, to require two percent of estimated construction costs for art enrichment of public structures, parks and transportation improvement projects; restricting the application of the art enrichment ordinance to total construction costs rather than total project costs; providing for maintenance and conservation funds; allowing for aggregation of art enrichment funds; and increasing Arts Commission administrative fees.)) (Supervisors Kaufman, Leal, Hsieh)

Ordinance amending Administrative Code, to require two percent of estimated construction costs for art enrichment of public buildings, above-ground structures, parks and transportation improvement projects; restricting the application of the art enrichment ordinance to total construction costs rather than total project costs; increasing Arts Commission administrative fees; allowing for aggregation of art enrichment funds; and providing for maintenance and conservation funds.

File 97-96-16, Ordinance No.

(Repeals and adds Section 3.13.)

(Fiscal Impact.)

Supervisor Kaufman, seconded by Supervisor Leal, moved an amendment of the whole entitled, "Ordinance amending Administrative Code, to require two percent of estimated construction costs for art enrichment of public buildings, above-ground structures, parks and transportation improvement projects; restricting the application of the art enrichment ordinance to total construction costs rather than total project costs; increasing Arts Commission administrative fees; allowing for aggregation of art enrichment funds; and providing for maintenance and conservation funds."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Consideration Continued

[Redevelopment Agency Interim Budget 1996-97]
Resolution approving an interim budget of the Redevelopment Agency of the City and County of San Francisco for Fiscal Year 1996-97. (Redevelopment Agency)

File 161-96-3, Resolution No.

Supervisor Leal, seconded by Supervisor Ammiano, moved to continue consideration to June 24, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted

[Affordable Housing and Home Ownership Opportunity Bond]
Resolution determining and declaring that the public interest and necessity demand the financing of (1) the development of housing affordable to low-income households in the City and County and (2) downpayment assistance to low and moderate income first-time homebuyers and all other aspects necessary or convenient for the foregoing purposes, that the estimated cost of $100,000,000 is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Bierman, Teng, Leal, Kaufman, Shelley, Hsieh, Alioto, Ammiano, Yaki, Katz, Brown)

File 170-96-6, Resolution No. 570-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Ammiano, Yaki, Katz, Brown requested to be added as co-sponsors.

[General Obligations Bond - De Young Museum]
Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal

improvements, to wit: acquisition, construction and/or reconstruction of a new museum facility to replace the De Young Museum and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of $73,300,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Shelley, Hsieh, Bierman, Alioto, Yaki, Teng, Kaufman, Ammiano, Leal, Katz, Brown)

File 170-96-7, Resolution No. 571-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Leal, Katz, Brown requested to be added as co-sponsors.

[Water Rates - Finding]
Resolution making a finding that no tax subsidy will be required by the Water Department by reason of approval of a proposed schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas. (Public Utilities Commission)

File 142-96-2, Resolution No. 565-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Approving Revised Rates, Retail Water Service]
Resolution approving revised schedule of rates to be charged by the Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-96-2 and 142-96-2.2. (Public Utilities Commission)

File 142-96-2.1, Resolution No. 566-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

From Budget Committee
To Board with Recommendation "Do Not Pass"

Tabled

[Disapproving Revised Rates, Retail Water Service]
Resolution disapproving revised schedule of rates to be charged by the Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-96-2 and 142-96-2.1. (Public Utilities Commission)

File 142-96-2.2, Resolution No.

Supervisor Hsieh, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Prohibition on New Power Generation Facilities]
Resolution urging the Mayor to urge all city departments and agencies to refrain from taking, permitting or approving any action that would result in the development of any power generation facilities in the Bayview Hunters Point Community. (Supervisors Alioto, Bierman, Katz, Ammiano, Teng, Brown)

File 234-96-2, Resolution No. 578-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Teng, Brown requested to be added as co-sponsor.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Alcoholic Beverage Special Use Subdistrict]
Ordinance amending the City Planning Code by adding Section 781.8 imposing permanent zoning controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Fourteenth Street, Cesar Chavez Street, Potrero Avenue and Guerrero Street. (Supervisors Leal, Shelley, Kaufman, Alioto, Teng, Bierman, Ammiano, Brown, Katz)

File 81-95-1, Ordinance No.

(April 4, 1996 - Approved by City Planning Commission Resolution 14094.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Ammiano, Brown, Katz requested to be added as co-sponsors.

[Mission Alcoholic Beverage SUD Map Change]
Ordinance amending the San Francisco Zoning Map to establish the boundaries for the Mission Alcoholic Beverage Special Use Subdistrict. (Supervisors Leal, Shelley, Kaufman, Alioto, Teng, Bierman, Brown)

File 81-95-1.1, Ordinance No.

(April 4, 1996 - Approved by City Planning Commission Resolution 14094.)

(Pursuant to City Attorney, this item requires eight votes for passage.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Sidewalk Width Regulations]
Ordinance amending Ordinance No. 1061 entitled "Regulating the width of sidewalks" changing the official sidewalk widths on the south side of Irving Street between Arguello Boulevard and 2nd Avenue, on the northwest corner of Judah Street and 18th Avenue, on the northwest corner of Judah Street and 36th Avenue, on the northwest corner of Taraval Street and 36th Avenue, on the southwest corner of Taraval Street and 37th Avenue, and on a portion of Irving Street between 2nd Avenue and 3rd Avenue, collectively known as MUNI Key Stop Phase "B", and as shown on the Department of Public Works drawing labeled Q-20-440 through Q-20-445, inclusive, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-3, Ordinance No.

(Adds Section 1523.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted

[Street Artists]
Resolution designating for four months six selling spaces on Hyde Street, east side, Beach to Jefferson Streets, for street artists certified by the Art Commission, and exempting said spaces from the regulations prohibiting selling within seven and a half feet of a sprinkler inlet and twelve feet from the outer edge of an entrance to a building. (Supervisors Shelley, Bierman, Teng)

File 169-96-1, Resolution No. 567-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Street Artists]
Resolution designating four former temporary holiday selling spaces on Market Street, south side, 2nd to 1st Streets, as permanent selling spaces and designating three former temporary holiday selling spaces on Sutter Street, south side, at Market Street, for one year subject to Board of Supervisors review for street artists certified by Art Commission. (Supervisors Shelley, Bierman, Teng)

File 169-96-2, Resolution No. 568-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Adopted as Amended

[Street Artists]
Resolution re-designating for six months three selling spaces on Stockton Street, west side, at O'Farrell Street, for street artists certified by the Art Commission((; holding harmless from any litigation any building adjacent to said street artist spaces)). (Supervisors Shelley, Bierman, Teng, Alioto)

File 169-96-3, Resolution No. 569-96

Supervisor Shelley, seconded by Supervisor Kaufman, moved to amend title, page one, lines three and four by deleting "; holding harmless from any litigation any building adjacent to said street artist spaces"; amend page two, lines one through three, by deleting the entire paragraph.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

The President resumed the Chair.

Adopted

[Liquor License, 2498 Lombard Street]
Resolution opposing the request for issuance of a Type 20 off sale beer and wine license to Tosco Corporation for B. P. Gas Station, located at 2498 Lombard Street, and determining that it will not serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-20, Resolution No. 575-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Liquor License Transfer, 632 Commercial Street]
Resolution determining that the transfer of a Type 20 beer and wine license from A.K.A. GourmeT store located 375 Alabama Street, to the new A.K.A. GourmeT retail/showroom at 632 Commercial Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-21, Resolution No. 576-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Liquor License, 1560 Powell Street]
Resolution determining that the issuance of a Type 48 on-sale general premise liquor license to Chris Martin Dickerson, for North Star cocktail bar located at 1560 Powell Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-22, Resolution No. 577-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Parking Control, Street Areas Within SFGH]
Ordinance amending Traffic Code, to require a permit to park in additional areas adjacent to San Francisco General Hospital. (Department of Parking and Traffic)

File 124-96-2, Ordinance No.

(Amends Section 32.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted

[Waiving Statute of Limitations]
Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County, in the amount of $14,207.13, a legal obligation of the City and County. (Controller)

File 23-96-2, Resolution No. 554-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Annual Audit, Controller's Books]
Resolution ordering the annual audit of Controller's books, and authorizing a three-year contract with a consortium of accounting firms. (Controller)

File 95-96-1, Resolution No. 563-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

[Findings, Old Main Library Jurisdictional Transfer]
Resolution adopting findings pursuant to the California Environmental Quality Act relating to the transfer of jurisdiction of the Old Main Library building from the Library Commission to the Asian Art Commission, as analyzed in the San Francisco Main Library Final Environmental Impact Report, Case No. 90.808E and re-evaluated in the Asian Art Museum Project EIR Addendum to that Environmental Impact Report, dated May 1, 1996. (Supervisors Shelley, Alioto, Brown)

File 199-96-2, Resolution No. 573-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Alioto, Brown requested to be added as co-sponsors.

The President resumed the Chair.

[Jurisdictional Transfer, Old Main Library]
Resolution transferring jurisdiction from the Library Commission to the Asian Art Commission of Lot 1 in Assessor's Block 353, known as Old Main Library and Library Annex, for museum use; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 199-96-2. (Supervisors Shelley, Alioto, Brown)

File 199-96-2.1, Resolution No. 574-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Alioto, Brown requested to be added as co-sponsors.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

From Government Efficiency and Labor Committee
Without Recommendation

Passed for Second Reading

[Library Foundation Lease]
Ordinance approving a Memorandum of Understanding between the Public Library and the Library Foundation of San Francisco for use of space in the new Main Library building for the performance of library-related services, generation of revenues for Library Department purposes and assurance of private funds to provide support on an ongoing basis for the Public Library system; and authorizing and

approving certain agreements directly with the Library Foundation as contemplated by such MOU, including a lease of office space and an agreement giving the Foundation the right to manage the meeting rooms, auditorium and other space for private functions and special events and to charge fees for such uses. (Supervisors Kaufman, Alioto)

File 65-96-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

The President resumed the Chair.

Conference with Labor Negotiator - Collective Bargaining

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources; Paul Horcher, Mayor's liaison to the Board; Geoff Rothman, Employee Relations Director, and John Holtzman, City Attorney's Office for the purpose of reviewing the City's position and instructing its designated representatives concerning labor relations negotiations with the Building Inspectors Workers Union and amendments to Memorandum of Understanding between Transport Workers of America, Local 250A (7410 Automotive Service Workers); Transport Workers of America Local 200; The Machinists Union Lodge No. 1414; the Building Material and Construction Teamsters, Local 216; Laborers Union, Local 261; the International Brotherhood of Electrical Workers, Local 6; Service Employees International Union, Local 790; and the Stationary Engineers Local 39 involving all forms of compensation (including wages, hours, benefits, and working conditions), as authorized by California Government Code Section 54957.6.

Supervisor Kaufman, seconded by Supervisor Brown, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Recess

The Board recessed at the hour of 4:47 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 5:15 p.m. reconvened.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code.

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

COMMITTEE REPORTS

Recommendations of Government Efficiency and Labor Committee

Adopted

[MOU, District Attorney Investigators Association]
Ordinance amending Ordinance No. 133-95 to implement the provisions of a mediated settlement dated May 24, 1996 between the District Attorney Investigators Association and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-95-25.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Compensation, Local 21]
Ordinance amending Ordinance 221-95 to implement the provisions of an arbitrator's award between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County to be effective July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-95-35.4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[MOU, Local 38]
Ordinance amending Ordinance No. 168-96 to correct clerical errors by adopting and implementing the provision of Amendment Number 1 to the Memorandum of Understanding between Plumbing and Pipe Fitting Industry, Local 38 and the City and County to be effective July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-10.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Amendment to Memorandum of Understanding]
Ordinance implementing the provisions of an amendment to Memorandum of Understanding between the Transport Workers of America, Local 250A (7410 Automotive Service Worker) and the Transport Workers of America, Local 200 and the Machinists Union Lodge No. 1414 and the Building Material and Construction Teamsters, Local 216 and the Laborers Union, Local 261 and the International Brotherhood of Electrical Workers, Local 6 and the Service Employees International Union, Local 790 and the Stationary Engineers, Local 39 and the City and County of San Francisco providing for employee assistance for the period June 30, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-21, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[MOU, Local 104]
Ordinance implementing the provisions of a mediated settlement between the sheetmetal workers international union, Local 104 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-22, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Compensation, Local 6]
Ordinance implementing the provisions of an arbitrator's award between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-23, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[MOU, Local 856]
Ordinance implementing the provisions of a mediated settlement approved by the panel of arbitrators between the Probation Officers Association, Teamsters Local 856 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-24, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Transfer of Vested Leave Balances]
Ordinance providing for the transfer of vested sick leave and vacation balances by qualifying employees of the Adult and Juvenile Probation Departments to reduce shortages in their City Retirement accounts in order to facilitate the transfer of prior service to the California Public Employees' Retirement System pursuant to Charter Section A8.506-2. (Supervisor Shelley)

File 93-96-25, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Eula Walters, Ferry Park;
Jim Berk, mental health clinic, 760 Harrison Street;
Female speaker, RAP rent issue;
Male speaker, public housing ombudsman;
Wendy, police harassment and illegal drug activities;
Rodney, quality of life issues.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[National Homecare Systems, Inc.]
Resolution recognizing the modification to Contract #087 reflecting the name change from National Homecare Systems, Inc. to Addus Healthcare (In-Home Supportive Services). (Supervisors Shelley, Alioto)

File 172-94-14.1, Resolution No. 537-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

[Commend Students for Positive Action]
Resolution commending Students for Positive Action at McAteer who have volunteered their time and efforts to improve their school and the surrounding Miraloma community and noting that their contributions are greatly valued by the City and County of San Francisco. (Supervisors Kaufman, Shelley, Alioto, Bierman)

File 6-96-89, Resolution No. 542-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

[Commend Old Uncle Gaylord's Ice Cream Parlor]
Resolution commending the Ly Family and Old Uncle Gaylord's Ice Cream Parlor. (Supervisors Teng, Yaki, Shelley, Brown, Ammiano, Bierman)

File 6-96-90, Resolution No. 601-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

[Commend Statewide Campaign]
Resolution commending the Statewide Campaign to defeat the California Civil Rights Initiative and its efforts to organize against CCRI and welcoming Northern Californians to San Francisco for a regional organizing meeting June 22, 1996. (Supervisors Teng, Brown, Alioto, Bierman, Leal, Kaufman)

File 6-96-91, Resolution No. 543-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Kaufman requested to be added as co-sponsors.

[Commend Frederick Meyers]
Resolution honoring Dr. Frederick Meyers for his professional and civic contributions. (Supervisors Yaki, Alioto, Bierman)

File 6-96-92, Resolution No. 544-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

[Clean Air Pilot Project]
Resolution urging the Public Transportation Commission and the Executive Director of the Municipal Railway to develop a pilot project to implement the 1993 Transportation Fund for Clean Air (TFCA) grant in the amount of $510,000; allowing for the purchase of alternative fuel vans or mini-buses on under-utilized Municipal Railway bus routes; with a written report on the status of the project transmitted to the Board of Supervisors and to the Mayor no later than July 10, 1996. (Supervisors Yaki, Leal, Shelley, Alioto, Bierman, Kaufman)

File 7-96-2.1, Resolution No. 548-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[GAIN Funding]
Resolution urging the State Legislature and Governor to fully fund the GAIN (Greater Avenue to Independence) program. (Supervisors Shelley, Alioto, Kaufman, Bierman)

File 12-96-31, Resolution No. 549-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Bierman requested to be added as co-sponsors.

[Grant, Federal Funds]
Resolution authorizing the Chief Administrative Officer to apply for $2,490,910 from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs. (Supervisors Leal, Ammiano, Alioto, Kaufman, Bierman)

File 133-96-4.1, Resolution No. 564-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Bierman requested to be added as co-sponsors.

[Municipalization Study Contract]
Resolution urging the Mayor to urge the Public Utilities Commission to terminate immediately the contract with Economic and Technical Analysis Group for the study of the municipalization of the electric system in the City and County, and to thoroughly review and reevaluate the information provided by the Technical Review Committee supporting its recommendation of J.W. Wilson and Associates, Inc. to conduct the municipalization study. (Supervisors Alioto, Bierman)

File 191-96-3, Resolution No. 604-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Tobacco Litigation Contingent Fee]
Resolution approving contingency fee agreement in City and County of San Francisco, et al, v. Philip Morris, Inc., et al. (Supervisors Alioto, Shelley)

File 194-96-1.1, Resolution No. 572-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

[Court Appointed Special Advocates]
Resolution acknowledging the award of a grant by the California Judicial Council to the San Francisco Court Appointed Special Advocates. (Supervisors Yaki, Kaufman)

File 256-96-1, Resolution No. 579-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Lease, 721 Irving Street]
Resolution urging the landlord of 721 Irving Street to reconsider the eviction notice of Old Uncle Gaylord's Ice Cream Parlor and renegotiate a lease with the Ly family. (Supervisors Teng, Yaki, Shelley, Brown, Ammiano, Bierman)

File 265-96-1.1, Resolution No. 602-96

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.11

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Final Map]
Motion approving final map of 101 Harrison Street, a Condominium Project, being a subdivision of Lot 14 in Assessor's Block No. 3768, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-17

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

[Final Map]
Motion approving final map of 39 Boardman Place, a Condominium Project, being a merger and resubdivision of Lots 90 and 91 in Assessor's Block No. 3779, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-18

(June 10, 1996 - Introduced in Board for consideration on June 17, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Leal, Shelley, Yaki - 8.

Absent: Supervisors Bierman, Katz, Teng - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-25, Resolution No. 540-96

(Amos Brown, member, Board of Supervisors, June 17 - 23; Geoffrey Gordon-Creed, Commissioner, Ethics Commission, June 29 - July 7; Lee Ann Monfredini, Commissioner, Health Commission, June 27 - 30; Pat Norman, Commissioner, Police Commission, June 10 - 14; Harry S. Parker, III, Director, Fine Arts Museum, June 6 - 9, 1996.)

Adopted.

[Commending Enid Lim]
Resolution commending Enid Lim and declaring June 15, 1996 Enid Lim Day in San Francisco and rescinding Resolution No. 455-96. (Supervisors Teng, Shelley, Yaki, Bierman)

File 6-96-75.1, Resolution No. 541-96

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Leal, Shelley, Yaki - 8.

Absent: Supervisors Bierman, Katz, Teng - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Hsieh, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Leal, Shelley, Yaki - 8.

Absent: Supervisors Bierman, Katz, Teng - 3.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Hsieh, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Leal, Shelley, Yaki - 8.

Absent: Supervisors Bierman, Katz, Teng - 3.

[Imperative Resolutions]

Adopted

[Commendation]
Resolution commending the Pacific Heritage Museum on its outstanding exhibits and H. P. Chia, Chairman and C.E.O. of the Bank of Canton of California, on his leadership in preserving and restoring the museum.

File 006-96-093, Resolution No. 545-96

Supervisors Hsieh, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Leal, Shelley, Yaki - 8.

Absent: Supervisors Bierman, Katz, Teng - 3.

[Commend Volunteers of Visiting Nurses/Hospice]
Resolution commending the Volunteers of Visiting Nurses and Hospice of San Francisco and declaring Saturday, June 23, 1996, Visiting Nurses and Hospice Volunteers Appreciation Day.

File 006-96-094, Resolution No. 546-96

Supervisor Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Leal, Shelley, Yaki - 8.

Absent: Supervisors Bierman, Katz, Teng - 3.

[Commend Jeff Mori]
Resolution commending Jeff Mori for his twenty-three years of dedicated service to the Japanese Community Youth Council and declaring June 23, 1996 Jeff Mori Day.

File 006-96-095, Resolution No. 547-96

Supervisors Shelley, Teng, Kaufman, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Hsieh, Kaufman, Leal, Shelley, Yaki - 8.

Absent: Supervisors Bierman, Katz, Teng - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map, Affordable Housing]
Ordinance adopting a new Special Use District as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6 Assessor's Block 5419, to establish the Third Street and Armstrong Avenue Affordable Housing Special Use District, and adopting findings pursuant to Planning Code Section 101.1. Supervisor Brown presented. Referred to Housing and Land Use Committee.

File 036-96-004.

[Zoning Map Height and Bulk, 5545 Third Street]
Ordinance adopting a change to the Height and Bulk Classification as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6, Assessor's Block 5419, to change the Height and Bulk Classification from 40-X to 40-65-J, and adopting findings pursuant to Planning Code Section 101.1. Supervisor Brown presented. Referred to Housing and Land Use Committee.

File 036-96-005.

[Affordable Housing Special Use District]
Ordinance amending City Planning Code by adding Section 249.__ to create an Affordable Housing Special Use District at Third Street and Armstrong Avenue. Supervisor Brown presented. Referred to Housing and Land Use Committee.

File 081-96-001.

[Chief Administrative Officer]
Draft ordinance amending and repealing various Administrative Code Sections relating to the functions and duties of the Chief Administrative Officer, to conform to the provisions of the Charter of 1996 (amends Sections 16.4, 16.6-23, 16.6-48, 16.9-24, 16.93-3, 16.113, 16.121-2, 16.121-4, 16-121-5, 16.402, 20.46, 21.2, 21.5, 21.6, 21.8, 21.11, 21.13-1, 21.15, 21.17, 21.18, 21.22, 21.25, 21.28, 21.34, 21.39, 21.46 , 21.53, 21A.2, 21A.3, 22.2, 22.4, 22B.2, 23.10, 33.2, 33.10, 51.03, 51.04, 54.2, 54.4, 56.17, 57.5, 58.6, 66.6, 66A.2, 66A.14, 66A.26, 66A.27, 66A.28, 67.4, 67.29, 67.30 and 67.31; repeals Sections 16.6-50, 16.6-52, 16.96, 16.143, 21.18-1 and 21.18-20). Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered on June 25, 1996.

File 097-96-019.02.

[Rental Unit Occupancy by Landlord or Relative]
Ordinance amending Administrative Code Section 37.9 governing when a landlord may recover possession of a rental unit for occupancy by the landlord or a relative; increasing to 36 months the period of time the landlord or family member must intend to reside in the unit and creates rebuttable presumption; increases from 25% to 50% ownership interest in the property and restricts move-in by relatives; establish tenant rights in evictions, relocation and reoccupancy; prohibits move-in where tenants age 62 or older who have been in the building ten years reside; reinstatement of previous rent after landlord or relative vacates; establishes penalty and civil action. Supervisors Yaki, Bierman, Ammiano, Teng, Katz presented. Referred to Housing and Land Use Committee.

File 109-96-002.

[Sale of Saturday Night Specials]
Ordinance amending Police Code Sections 613.1 and 613.10 and adding Section 613.10-1 to define and prohibit the sale of certain firearms deemed "Saturday Night Specials". Supervisors Leal, Yaki, Shelley presented. Referred to Health Public Safety and Environment Committee with request it be considered on June 20, 1996.

File 121-96-010.

Referred to Board

[Commendation]
Resolution commending San Francisco Safe, Inc. (Safety Awareness for Everyone) and the Sunset Parkside United Neighborhood for their efforts in "Action Day" in the Sunset and declaring June 27th Action Day in the Sunset. Supervisors Teng, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 24, 1996.

File 006-96-096.

[Commend Steven Lewis Phillips, Esquire]
Resolution commending Steven Lewis Phillips, Esquire, for his contributions to the work of the International Hotel Citizens Advisory Committee. Supervisors Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 24, 1996.

File 006-96-097.

[State Legislation, SCA4] Resolution urging the State Legislature to approve SCA 4, concerning consolidation of the Superior and Municipal Courts. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar June 24, 1996.

File 012-96-032.

[State Legislation, SB 1457, Grand Jury]
Resolution supporting SB 1457 concerning release of grand jury reports. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 24, 1996.

File 012-96-033.

[Economic Impact Aid]
Resolution opposing the redistribution of economic impact aid funds and calling upon San Francisco's elected officials to take all steps necessary to preserve these funds. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 24, 1996.

File 012-96-034.

[Appointment]
Resolution appointing Michael Yaki as member to the California State Association of Counties, Board of Directors. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 24, 1996.

File 092-96-037.

[Adoption Agency License]
Resolution authorizing the Department of Social Services to amend its license to act as an adoption agency to reflect a change of address and department name as required by the California Department of Social Services. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar June 24, 1996.

File 107-96-003.

Referred to Committee

[Grant-Art Commission]
Substitute resolution authorizing the San Francisco Art Commission to retroactively apply for, accept and expend $20,000 of California Art Council Grant Funds to implement a new collaborative arts education project in Latin American Arts and Culture in partnership with the Mission Cultural Center for Latino Arts and five schools of the San Francisco Unified School District; waiving the 2 percent associated indirect costs. Supervisors Yaki, Leal presented. Referred to Government Efficiency/Labor Committee.

File 132-96-002.

Referred to Board

[Contract, Easy Access, Inc.]
Resolution approving the limitation of liability and perpetual software license term in agreement for the installation of software in the Treasurer's, Assessor's, Tax Collector's and Controller's offices by Easy Access, Inc. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar June 24, 1996.

File 172-96-020.

Motions:

Referred to Board

[Final Map, 226 Ritch Street]
Motion approving final map of 226 Ritch Street, a Live/Work Condominium Project, being a resubdivision of Lot 102 in Assessor's Block 3776, and adopting findings pursuant to City Planning Code Section 101.1. At the request of Supervisor Bierman, scheduled for Board for Adoption Without Committee Reference Calendar June 24, 1996.

File 058-96-019.

Referred to Committee

[Bond Award]
Draft motion awarding bonds and fixing definitive interest rates for general obligation bonds in the amounts of $7,645,000 (Public Safety Improvement Projects, 1989), Series 1996B; $14,285,000 (Fire Department Facilities Project, 1992), Series 1996C; $42,300,000 (School District Facilities Improvements, 1994), Series 1996D; and $25,000,000 (Asian Art Museum Relocation Project), Series 1996E. Supervisor Hsieh presented. Referred to Budget Committee.

File 170-96-005.01.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-96-007. [Airport Lease Modification, USAir, Inc.] Ordinance approving Modification No. 8 to Lease and Use Agreement between USAir, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 097-96-038. [Pest Detection and Trapping] Ordinance amending Administrative Code by adding Section 1.13-9 to authorize the President of the Board of Supervisors or the President's designee to execute an annual contract between the City and County of San Francisco and the California Department of Food and Agriculture for exotic pest detection and trapping. (Department of Agriculture and Weights and Measures) Referred to Government Efficiency/Labor Committee.

File 114-96-001. [Military Bases - Building Code Requirements] Ordinance amending Building Code by adding Section 3406 to implement California Health and Safety Code Section 18941.7, which authorizes the City under specified conditions to allow a building or other structure located on a military base selected for closure to comply with Building Code requirements in a graduated manner over a period of no more than 10 years. (Redevelopment Agency) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 025-96-012. [Prop J Contract, Court Management System] Resolution concurring with Controller's certification that services of the Court Management System Coordinator can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Municipal Court) Referred to Government Efficiency/Labor Committee.

File 041-96-002. [Assessment Costs, Sidewalk/Curb Repairs] Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by the said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works) Scheduled for public hearing before Board on July 29, 1996 at 3:00 p.m.

File 048-96-020. [Settlement of Claim, CSAA Insurance] Resolution approving the settlement of the unlitigated claim of CSAA Insurance (Charles Crockett) by payment of $12,300. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-009. [Lease of Property at 760 Harrison Street] Resolution authorizing a lease of real property at 760 Harrison Street, San Francisco, for the South of Market Mental Health Service Clinic of the Mental Health Division of Department of Public Health. (Also see File 29-96-1). (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 089-96-004. [SDI Coverage, 2964 Director of Planning and Budget] Resolution authorizing enrollment of classification 2964 Director of Planning and Budget in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 170-95-011.01. [Reimbursement for Moscone Bonds] Resolution declaring the official intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future indebtedness incurred for the acquisition and construction of additional convention center facilities. (Chief Administrative Officer) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney provide the Board of Supervisors with regular, timely updates regarding the status of the City's lawsuit filed against the tobacco industry; any response from the defendants with the date received noted and when any other municipality joins in our lawsuit.

By Supervisor Leal, that City Attorney prepare appropriate legislation which would create an Alcohol Vendor Task Force to investigate and cite businesses for code and other violations of legal requirements and compel the appropriate authority to seek prompt revocation of the business license.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Harold Edwin Schwartz (Supervisor Leal)
Raphael Bulluo Mini (Supervisor Leal)

File 2-96-25

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:53 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 29, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 24, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 26

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 24, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Yaki - 9.

Noted absent at first roll call:

Supervisors Katz, Teng - 2.

Quorum present.

Supervisor Katz was noted present at 2:12 p.m.

Supervisor Teng excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Bierman, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, May 20, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Katz, Teng - 2.

CONSENT CALENDAR

From Government Efficiency and Labor Committee

Finally Passed

[MOU, District Attorney Investigators Association]
Ordinance amending Ordinance No. 133-95 to implement the provisions of a mediated settlement dated May 24, 1996 between the District Attorney Investigators Association and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-95-25.2, Ordinance No. 258-96

Finally passed.

[Compensation, Local 21]
Ordinance amending Ordinance 221-95 to implement the provisions of an arbitrator's award between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County to be effective July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-95-35.4, Ordinance No. 259-96

Finally passed.

[MOU, Local 38]
Ordinance amending Ordinance No. 168-96 to correct clerical errors by adopting and implementing the provision of Amendment Number 1 to the Memorandum of Understanding between Plumbing and Pipe Fitting Industry, Local 38 and the City and County to be effective July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-10.1, Ordinance No. 266-96

Finally passed.

[Amendment to Memorandum of Understanding]
Ordinance implementing the provisions of an amendment to Memorandum of Understanding between the Transport Workers of America, Local 250A (7410 Automotive Service Worker) and the Transport Workers of America, Local 200 and the Machinists Union Lodge No. 1414 and the Building Material and Construction Teamsters, Local 216 and the Laborers Union, Local 261 and the International Brotherhood of Electrical Workers, Local 6 and the Service Employees International Union, Local 790 and the Stationary Engineers, Local 39 and the City and County, providing for employee assistance for the period June 30, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-21, Ordinance No. 267-96

Finally passed.

[MOU, Local 104]
Ordinance implementing the provisions of a mediated settlement between the Sheetmetal Workers International Union, Local 104 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-22, Ordinance No. 268-96

Finally passed.

[Compensation, Local 6]
Ordinance implementing the provisions of an arbitrator's award between the International Brotherhood of Electrical Workers, Local 6 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-23, Ordinance No. 269-96

Finally passed.

[MOU, Local 856]
Ordinance implementing the provisions of a mediated settlement approved by the panel of arbitrators between the Probation Officers Association, Teamsters Local 856 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-24, Ordinance No. 270-96

Finally passed.

[Transfer of Vested Leave Balances]
Ordinance providing for the transfer of vested sick leave and vacation balances by qualifying employees of the Adult and Juvenile Probation Departments to reduce shortages in their City Retirement accounts in order to facilitate the transfer of prior service to the California Public Employees' Retirement System pursuant to Charter Section A8.506-2. (Supervisor Shelley)

File 93-96-25, Ordinance No. 271-96

Finally passed.

[Furnelli dba Solid Gold, Inc. v. CCSF, et al.]
Ordinance approving a settlement between Elizabeth Furnelli dba Solid Gold, Inc. and the City and County, the Police Department, the Chief of Police and the Board of Permit Appeals involving removal of permit restrictions previously imposed by the Board of Permit Appeals. (City Attorney)

File 45-96-32, Ordinance No. 261-96

(USDC Northern District of California No. C-95-3517 SAW.)

Finally passed.

[Scott Davis v. CCSF]
Ordinance authorizing settlement of litigation of Scott Davis against the City and County by payment of $15,000. (City Attorney)

File 45-96-33, Ordinance No. 262-96

(Superior Court No. 952-773.)

Finally passed.

[W. Chapot Construction Co., Inc. v. CCSF]
Ordinance authorizing settlement of litigation of W. Chapot Construction Co., Inc. against the City and County by payment of $27,500. (City Attorney)

File 45-96-34, Ordinance No. 263-96

(Superior Court No. 969-729.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation in the matter entitled Jensen v. the City and County, et al., for $80,000. (City Attorney)

File 45-96-36, Ordinance No. 255-96

(Superior Court No. 971-309.)

Finally passed.

[Lease Modification]
Ordinance approving reaffirmation and first amendment to lease and consent to encumbrance with Bundox Restaurant, Inc., DBA the Waterfront Restaurant at Pier 7-1/2 (Broadway and the Embarcadero). (Supervisor Kaufman)

File 65-96-10, Ordinance No. 264-96

Finally passed.

Passed for Second Reading

[Library Foundation Lease]
Ordinance approving a Memorandum of Understanding between the Public Library and the Library Foundation of San Francisco for use of space in the new main library building for the performance of library-related services, generation of revenues for library department purposes and assurance of private funds to provide support on an ongoing basis for the public library system; and authorizing and approving certain agreements directly with the Library Foundation as contemplated by such MOU, including a lease of office space and an agreement giving the Foundation the right to manage the meeting rooms, auditorium and other space for private functions and special events and to charge fees for such uses. (Supervisors Kaufman, Alioto)

File 65-96-5, Ordinance No.

(Note: The Public Library presented a revised Memorandum of Understanding.)

Passed for second reading.

Finally Passed

[Parking Control, Street Areas Within SFGH]
Ordinance amending Traffic Code, to require a permit to park in additional areas adjacent to San Francisco General Hospital. (Department of Parking and Traffic)

File 124-96-2, Ordinance No. 276-96

(Amends Section 32.2.)

Finally passed.

[Medical Services Contract]
Ordinance authorizing the Director of Public Health to execute an agreement with Blue Cross of California for the Department of Public Health to provide services to Blue Cross Medi-Cal Managed Care subscribers, which agreement includes binding arbitration and indemnification clauses. (Department of Public Health)

File 172-96-16, Ordinance No. 265-96

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Sidewalk Width Regulations]
Ordinance amending Ordinance No. 1061 entitled "Regulating the width of sidewalks" changing the official sidewalk widths on the south side of Irving Street between Arguello Boulevard and 2nd Avenue, on the northwest corner of Judah Street and 18th Avenue, on the northwest corner of Judah Street and 36th Avenue, on the northwest corner of Taraval Street and 36th Avenue, on the southwest corner of Taraval Street and 37th Avenue, and on a portion of Irving Street between 2nd Avenue and 3rd Avenue, collectively known as MUNI Key Stop Phase "B", and as shown on the Department of Public Works drawing labeled Q-20-440 through Q-20-445, inclusive, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-3, Ordinance No. 260-96

(Adds Section 1523.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Katz, Teng - 2.

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Interim Annual Appropriation Ordinance, Fiscal Year 1996-97] Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County for fiscal year ending June 30, 1997. (Mayor)

File 101-96-1, Ordinance No. 273-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Katz, Teng - 2.

[Interim Annual Salary Ordinance, Fiscal Year 1996-97]
Interim Annual Salary Ordinance for fiscal year ending June 30, 1997 entitled "An ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1997, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or state law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Department of Human Resources)

File 102-96-1, Ordinance No. 274-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Katz, Teng - 2.

[Art Enrichment]
Ordinance amending Administrative Code, to require two percent of estimated construction costs for art enrichment of public buildings, above-ground structures, parks and transportation improvement projects; restricting the application of the art enrichment ordinance to total construction costs rather than total project costs; increasing Art Commission administrative fees; allowing for aggregation of art enrichment funds; and providing for maintenance and conservation funds. (Supervisors Kaufman, Leal, Hsieh)

File 97-96-16, Ordinance No. 272-96

(Repeals and adds Section 3.13.)

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Katz, Teng - 2.

Adopted

[Redevelopment Agency Interim Budget 1996-97]
Resolution approving an interim budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1996-97. (Redevelopment Agency)

File 161-96-3, Resolution No. 598-96

(June 17, 1996 - Consideration continued to June 24, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Tax Refund Litigation, GTE Sprint]
Ordinance authorizing the City Attorney to sign a settlement agreement with GTE Sprint Communications Corporation in settlement of a refund claim in the sum of $339,865 (consisting of approximately $227,561 in tax to be refunded and $112,304 interest) to be offset against GTE Sprint Communication Corporation's 1995 tax liability of approximately $242,910 with the remaining approximately $96,955 to be paid in cash no later than September 1, 1996. (City Attorney)

File 45-96-35, Ordinance No. 254-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Recommendations of Housing and Land Use Committee

Finally Passed

[Alcoholic Beverage Special Use Subdistrict]
Ordinance amending the City Planning Code by adding Section 781.8 imposing permanent zoning controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Fourteenth Street, Cesar Chavez Street, Potrero Avenue and Guerrero Street. (Supervisors Leal, Shelley, Kaufman, Alioto, Teng, Bierman, Ammiano, Brown, Katz)

File 81-95-1, Ordinance No. 256-96

(April 4, 1996 - Approved by City Planning Commission Resolution 14094.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Ammiano, Brown, Katz requested to be added as co-sponsors.

[Mission Alcoholic Beverage SUD Map Change]
Ordinance amending the San Francisco Zoning Map to establish the boundaries for the Mission Alcoholic Beverage Special Use Subdistrict. (Supervisors Leal, Shelley, Kaufman, Alioto, Teng, Bierman)

File 81-95-1.1, Ordinance No. 257-96

(April 4, 1996 - Approved by City Planning Commission Resolution 14094.)

(Pursuant to City Attorney, this item requires eight votes for passage.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

From the Clerk

(Supervisor Hsieh excused from voting on the following three items.)
(See Journal of Proceedings of May 6, 1996.)

Adopted as Amended

[Findings - 6143-6153 Geary Boulevard]
Motion adopting findings related to the Appeal of the City Planning Commission's approval of Conditional Use Application No. 95.389C, authorizing placement of wireless telecommunications facilities on the property located at 6143-6153 Geary Boulevard. (Clerk of the Board)

File 37-96-1.7

Supervisor Yaki, seconded by Supervisor Kaufman, moved to amend page two, line 22, by inserting the following: "FURTHER MOVED, That the site is not within an RH-1, RH-2, RH-3, RM-1, RM-2, RC-1 and RC-2 zoning district; and, be it".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Adopted as Amended

[Findings - 2696 Geary Boulevard]
Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 95.390C, authorizing placement of wireless telecommunications facilities on the property located at 2696 Geary Boulevard. (Clerk of the Board)

File 37-96-1.8

Supervisor Yaki, seconded by Supervisor Kaufman, moved to amend page two, line 22, by inserting the following: "FURTHER MOVED, That the site is not within an RH-1, RH-2, RH-3, RM-1, RM-2, RC-1 and RC-2 zoning district; and, be it".

Motion to amend adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Adopted as Amended

[Findings - 1400 Lombard]
Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 95.391C, authorizing placement of wireless telecommunications facilities on the property located at 1400 Lombard Street.

File No. 37-96-1.9

Supervisor Yaki, seconded by Supervisor Leal, moved to amend page two, line 22, by inserting the following: "FURTHER MOVED, That the site is not within an RH-1, RH-2, RH-3, RM-1, RM-2, RC-1 and RC-2 zoning district; and, be it".

Motion to amend adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

NEW BUSINESS

Recommendations of Select Committee on Charter Implementation

Passed for Second Reading as Amended

[Former Charter Provisions]
Ordinance amending Administrative Code, 1932 Charter, respectively; making necessary changes to conform to the 1996 Charter; and repealing former Sections 3.201 and 7.603 of the 1932 Charter. (Supervisor Kaufman)

File 97-96-19, Ordinance No.

(Adds Sections 1.49, 2.1-1, 2A.10, 2A.19, 2A.20, 2A.30, 10.01, 10.02, 10.03, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06 and 2A.110, to codify Charter Sections 1.103, 2.101, 3.100, 3.302, 3.303, 3.501, 6.300, 6.306, 6.307, 7.100, 7.101, 7.102, 7.103, 7.200, 7.203 and 7.400 and repealing Charter Sections 3.201 and 7.603.)

Supervisor Kaufman, seconded by Supervisor Leal, moved an amendment of the whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Chief Administrative Officer]
Ordinance amending Administrative Code relating to functions and duties of the Chief Administrative Officer, to conform to the provisions of the Charter of 1996; and repealing various sections relating to a city hall portable communication system; temporary use of official voting machines, and contract approvals. (Supervisor Kaufman)

File 97-96-19.1, Ordinance No.

(Amends Sections 1.6-A, 1.25-7, 1.48, 2.70, 2.70-5, 2.92 , 3.06, 3.019, 3.15, 4.1, 4.1-1, 4.2, 4.3, 4.9-1, 4.10, 4.10-1, 4.11, 4.12, 5.7, 5.64, 5.83, 5.108.A-1, 5.108.A-3, 5.150, 6.1-1, 6.1-2, 6.1-5, 6.3, 6.6, 6.18, 6.20, 6.21, 6.22-1, 6.28, 6.30, 6.51, 7.3, 7.6-1, 7.7, 8.3, 8.5, 8.7, 8.12.2, 8.12-1, 8.12-2.1, 9A.1, 9A.3, 9A.4, 9A.5, 9A.7, 9A.8, 9A.9, 9A.12, 9A.15, 9A.17, 9A.18, 10.24, 10.33, 10.34, 10.43-5, 10.87, 10.98-1, 10.109-6, 10.110-1, 10.117, 10.117-4, 10.117.11, 10.117-26, 10.117-30, 10.117-35, 10.117-42, 10.117-69, 10.117-70, 10.117-78, 10.126, 10.171, 10.172, 10.172-1, 10.200, 10.201, 10.204, 10F.2, 11.5, 11.6, 11.21, 11.23, 11.25, 11.26, 11.30, 11.31, 12A.5, 12D.6, 12D.7, 12D.8, 12D.12, 12D.14, 12D.15 and 12I.2 and repealing Sections 4.1-2, 4.14, and 6.29.)

Supervisor Kaufman, seconded by Supervisor Leal, moved an Amendment of the Whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Passed for Second Reading

[General Plan Referrals]
Ordinance amending Administrative Code to provide for General Plan referrals. (Supervisor Kaufman)

File 97-96-35, Ordinance No.

(Adds Section 3.012.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[General Plan Referral, Capital Improvement]
Ordinance amending Administrative Code to provide for General Plan referrals by the Capital Improvement Advisory Committee. (Supervisor Kaufman)

File 97-96-36, Ordinance No.

(Amends Section 3.011.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Rules Committee

Passed for Second Reading

[Tour Bus Prohibition]
Ordinance amending Ordinance No. 88-96, which amended the Police Code to prohibit tour buses on portions of El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and Legion of Honor Drive, and 25th Avenue between Lake Street and El Camino Del Mar through June 30, 1996, by amending Section 3 to provide that this prohibition on tour buses shall expire on June 30, 1997 rather than June 30, 1996. (Supervisors Shelley, Yaki)

File 121-96-2.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Extend Sunset Clause - Tour Bus Prohibition on 15th Ave.]
Ordinance amending Ordinance No. 115-96, which amended the Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio through June 30, 1996 by amending Section 2 to provide that this prohibition on tour buses shall expire on June 30, 1997 rather than June 30, 1996. (Supervisors Shelley, Yaki)

File 121-96-5.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted

[Appointment]
Resolution appointing member to the Maternal, Child and Adolescent Health Board. (Rules Committee)

File 92-94-27.8, Resolution No. 581-96

(Charlene Clemens (Seat No. 22811 - health professional), vice herself, term expired August 31, 1995, for three-year term ending August 31, 1998.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appointments]
Resolution appointing members to the San Francisco Hazardous Materials Advisory Committee; making findings waiving residency requirement. (Rules Committee)

File 92-96-3, Resolution No. 589-96

(Gary A. Floyd (Seat 22608 - neighborhood organization), vice Howard Strassner, term expired July 1, 1995, for the unexpired portion of the four-year term ending July 1, 1999.)

(William Harris (Seat 22616 - open seat/no requirement),vice herself, term expired July 1, 1995, for the unexpired portion of the four-year term ending July 1, 1999.)

(Gerald Logan Grey (Seat 22617 - SFFD rep.) vice himself, term expired July 1, 1995, for the unexpired portion of the four-year term ending July 1, 1999.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appointments]
Resolution appointing members to the Animal Control and Welfare Commission. (Rules Committee)

File 92-96-15, Resolution No. 590-96

(Catherine Tchen-Kenna (Seat 20701, public-at-large) vice Dolores Donovan, term expired April 30, 1996, for new two-year term ending April 30, 1998.)

(Matthew Kaplan (Seat 20702, public-at-large) vice himself, term expired April 30, 1996, for new two-year term ending April 30, 1998.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appointment]
Resolution appointing regular member to Assessment Appeals Board Number 2. (Rules Committee)

File 92-96-17, Resolution No. 591-96

(Lawrence Lee (Seat 21008, Board No. 2/Regular Member), vice Jackson Wong, resigned, for the unexpired portion of the two-year term ending September 5, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appointments]
Resolution appointing members to the San Francisco Park and Open Space Advisory Committee. (Rules Committee)

File 92-96-30.2, Resolution No. 592-96

(Alan Weaver, Seat 23302, organization representative, vice himself, for new two-year term beginning July 1, 1996 and ending July 15, 1998.)

(Ron Miguel, Seat 23303, vice himself, for new two-year term beginning July 1, 1996 and ending July 15, 1998.)

(Winston Mathis, Seat 23308, vice Ina Dearman, for new two-year term beginning July 1, 1996 and ending July 15, 1998.)

(Ina Dearman, Seat 23310, vice Jacob Sigg, for new two-year term beginning July 1, 1996 and ending July 15, 1998.)

(Nan McGuire, Seat 23312, vice herself, for new two-year term beginning July 1, 1996 and ending July 15, 1998.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appointments]
Resolution appointing members to the San Francisco Veterans Affairs Commission. (Rules Committee)

File 92-96-31.1, Resolution No. 593-96

(Wallace Levin, vice himself (Seat 23803 - Category 3), term expired January 31, 1996, for the four-year term ending January 31, 2000.)

(George Gibbs, vice Noble Fields (Seat 23806 - Category 6), term expired January 31, 1996, for the four-year term ending January 31, 2000.)

(Robert De la Cruz, vice Arch Wilson (Seat 23811 - at-large), term expired January 31, 1995, for the four-year term ending January 31, 1999.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appointment]
Resolution appointing member to the San Francisco Hazardous Materials Advisory Committee. (Rules Committee)

File 92-96-32.2, Resolution No. 594-96

(Doug Kern (Seat 22603 - environmental industry representative), vice Daniel Phelan, term expires July 1, 1996, for the new four-year term ending July 1, 2000.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appointment]
Resolution appointing member to the San Francisco Park and Open Space Advisory Committee. (Rules Committee)

File 92-96-35, Resolution No. 595-96

(Carol Lane, Seat 23314 - Friends of Mountain Lake Park representative, vice Deana McNamara, resigned, for unexpired portion of two-year term ending July 15, 1997.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appointment]
Resolution appointing member to the Airport Noise Committee. (Rules Committee)

File 92-96-36, Resolution No. 603-96

(Vivienne Antal, Seat No. 20507, vice Juan Escano, resigned, for unexpired portion of three-year term ending September 30, 1996.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Appointments]
Resolution appointing members to the San Francisco Environment Commission. (Rules Committee)

File 92-96-38.1, Resolution No. 597-96

(Ross Mirkarimi, Seat 26505, vice himself, term expired for three-year term ending May 12, 1999.)

(Frank Lee, Seat 26506, vice himself, term expired May 12, 1996, for three-year term ending May 12, 1999.)

(Rebecca Evans, Seat 26509, vice herself, term expired for three-year term ending May 12, 1999.)

(Regina Sneed, Seat 26511, vice Beryl Magilavy, term expired for three-year term ending May 12, 1998.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Pesticide Reduction]
Resolution urging the Recreation and Park Commission to implement an integrated pest management policy, to ban the use of especially hazardous pesticides and to reduce the use of other toxic pesticides. (Supervisors Shelley, Ammiano, Leal)

File 193-96-2, Resolution No. 600-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Consideration Continued as Amended

[Revised Rules of Order]
Motion amending the Rules of Order of the Board of Supervisors by adopting a new edition of the rules. (Supervisor Shelley)

File 56-96-1

Supervisor Shelley, seconded by Supervisor Leal, moved to amend line 23, after "1996" by inserting "(Draft of 6/24/96, 12:02 p.m.)".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Supervisor Shelley, seconded by Supervisor Leal, moved to continue consideration as amended to July 1, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

The President resumed the Chair.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing to consider amending Ordinance concerning tax on transient occupancy of hotel rooms to increase the current total transient occupancy surcharge by two percent and to impose an additional two percent transient occupancy surcharge in certain redevelopment project areas, both sections to be effective on August 1, 1996. (Supervisor Ammiano)

File 127-96-3

(Adds Section 502.6-1 and 502.8-1.)

(A second public hearing as required by State law will be held on July 1, 1996.)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed Budget and proposed Annual Appropriation Ordinance for fiscal year 1996-1997.

File 100-96-1

The following persons spoke or appeared in opposition to elimination of 27 supervising nurse positions: Arlene Jech, Sheila Kenny, Alva O'Connor Kanaeaiakala, Sophie M. Mace, Paul Vaivor, Thelma Domingo, Teresita Balusut, Ruth Ryan, Charlene Wiggins, Madelyne Banares.

COMMITTEE REPORTS

Recommendation of Health, Public Safety & Environment Committee

Passed for Second Reading

[Regulating the Sale of "Saturday Night Specials"]
Ordinance amending Chapter 8 Police Code to define and prohibit the sale of certain firearms deemed "Saturday Night Specials". (Supervisors Leal, Yaki, Shelley, Kaufman, Bierman, Alioto)

File 121-96-10, Ordinance No.

(Amends Sections 613.1 and 613.10; adds Section 613.10-1

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Kaufman, Bierman, Alioto requested to be added as co-sponsors.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Cathy Perry, security guard prohibiting youth distribution of newspaper in front of City Hall;
Female speaker, environmental issues;
Martha Jimenez, federal immigration legislation impact on City;
Leboriae P. Smoore, police brutality, constitution of the poor;
Marc Sutter, newspaper distribution prohibited by security guard;
Karna Thomas, incident with City Hall security guard;
Malaika Coleman, incident with City Hall security guard;
Marcus Oliver, incident with City Hall security guard;
Catherine Morgan, supports Reverend Brown;
Eula Walters, save Ferry Park;
Wendy Loren, police harassment.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Hsieh requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[State Legislation, SCA 4]
Resolution urging the State Legislature to approve SCA 4, concerning consolidation of the Superior and Municipal Courts. (Supervisors Hsieh, Kaufman, Yaki, Leal)

File 12-96-32, Resolution No. 585-96

(June 17, 1996 - Introduced in Board for consideration on June 24, 1996.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved an Amendment of the Whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Kaufman, Yaki, Leal requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[State Legislation, SB 1457, Grand Jury]
Resolution supporting SB 1457 concerning release of grand jury reports. (Supervisor Kaufman)

File 012-96-033, Resolution No. 586-966

(June 17, 1996 - Introduced in Board for consideration on June 24, 1996.)

Supervisor Kaufman, seconded by Supervisor Leal, moved an Amendment of the Whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commendation]
Resolution commending San Francisco Safe, Inc. (Safety Awareness for Everyone) and the Sunset Parkside United Neighborhood for their efforts in "Action Day" in the Sunset and declaring June 27th Action Day in the Sunset. (Supervisors Teng, Shelley, Kaufman, Yaki, Leal)

File 006-96-096, Resolution No. 583-96

(June 17, 1996 - Introduced in Board for consideration on June 24, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Yaki, Leal requested to be added as co-sponsors.

[Commend Steven Lewis Phillips, Esquire]
Resolution commending Steven Lewis Phillips, Esquire, for his contributions to the work of the International Hotel Citizens Advisory Committee. (Supervisors Bierman, Shelley, Yaki, Leal)

File 006-96-097, Resolution No. 584-96

(June 17, 1996 - Introduced in Board for consideration on June 24, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Leal requested to be added as co-sponsors.

[Economic Impact Aid]
Resolution opposing the redistribution of economic impact aid funds and calling upon San Francisco's elected officials to take all steps necessary to preserve these funds. (Supervisors Shelley, Kaufman)

File 012-96-034, Resolution No. 587-96

(June 17, 1996 - Introduced in Board for consideration on June 24, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Appointment]
Resolution appointing Michael Yaki as member to the California State Association of Counties, Board of Directors. (Supervisor Shelley)

File 092-96-037, Resolution No. 596-96

(June 17, 1996 - Introduced in Board for consideration on June 24, 1996.)

Adopted.

[Adoption Agency License]
Resolution authorizing the Department of Social Services to amend its license to act as an adoption agency to reflect a change of address and department name as required by the California Department of Social Services. (Supervisor Yaki)

File 107-96-003, Resolution No. 580-96

(June 17, 1996 - Introduced in Board for consideration on June 24, 1996.)

Adopted.

[Contract, Easy Access, Inc.]
Resolution approving the limitation of liability and perpetual software license term in agreement for the installation of software in the Treasurer's, Assessor's, Tax Collector's and Controller's offices by Easy Access, Inc. (Supervisors Shelley, Kaufman)

File 172-96-020, Resolution No. 599-96

(June 17, 1996 - Introduced in Board for consideration on June 24, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Final Map, 226 Ritch Street]
Motion approving final map of 226 Ritch Street, a Live/Work Condominium Project, being a resubdivision of Lot 102 in Assessor's Block 3776, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Bierman)

File 058-96-019

(June 17, 1996 - Introduced in Board for consideration on June 24, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Ammiano requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Adopted

[Lease of Property at 30 Van Ness Avenue]
Resolution authorizing a lease of real property at 30 Van Ness Avenue, for the Department of Social Services. (Real Estate Department)

File 64-96-7, Resolution No. 588-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-26, Resolution No. 582-96

(Willie L. Brown, Jr., Mayor, Office of the Mayor, June 19 - 23; Leslie Katz, member, Board of Supervisors, June 22 - 24; Michael Yaki, member, Board of Supervisors, June 20 - 23, 1996.)

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Telecommunications Commission]
Ordinance amending Administrative Code by adding Article III, Sections 11.50, 11.51, 11.52, 11.53, 11.54 and 11.55 to create a Department of Telecommunications and Information Services, a Telecommunications Commission and a Telecommunications Plan and adding Sections 11.45 and 11.46 to transfer certain functions regarding cable television franchises from the Chief Administrative Officer to the Department of Telecommunications and Information Services and to limit the duration of new cable television franchises to ten years. Supervisors Bierman, Ammiano, Alioto presented. Referred to Rules Committee with request it be considered on July 2, 1996.

File 097-95-034.

[Colorado Product Ban Repeal]
Substitute ordinance amending Administrative Code by repealing Article XXI, Sections 10.240, 10,241, 10.242, 10.243, 10.244, 10.245, 10.246 and 10.247 to remove restrictions prohibiting the City from purchasing any commodity manufactured or produced in the State of Colorado. Supervisors Ammiano, Alioto, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 097-96-037.

[Tax Collector - Administrative Fees]
Ordinance amending Administrative Code by adding Section 8.34.1, establishing fees for the administrative costs of the Tax Collector to process documents relating to tax bills. Supervisor Hsieh presented. Referred to Budget Committee with request it be calendared at the July 10, 1996 meeting.

File 097-96-039.

[Home Delivery Services]
Ordinance amending Police Code by amending Section 3305.1, relating to home delivery services. Supervisor Shelley presented. Referred to Rules Committee.

File 121-96-008.01.

[Gun Free Zone]
Ordinance amending Police Code by amending Section 613.3, to prohibit the sale of firearms near churches, community centers and other locations where regularly scheduled activities are conducted for people under 18 years of age. Supervisors Yaki, Leal, Kaufman, Bierman, Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 121-96-009.01.

[Take Back Your Parking Act]
Ordinance amending Traffic Code by amending Section 33.1, allowing vehicular parking where temporary parking restrictions are in effect because of public or private construction work and the construction work does not commence by 12:00 noon of the date noticed. Supervisor Yaki presented. Referred to Housing and Land Use Committee.

File 124-96-007.

Referred to Board

[Commend Chamber of Commerce]
Resolution recognizing the decision by the San Francisco Chamber of Commerce to oppose the California Civil Rights Initiative and commending the Chamber for its acknowledgment that affirmative action is good business. Supervisors Leal, Kaufman, Hsieh, Ammiano, Alioto, Katz, Bierman, Yaki, Teng, Shelley, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar July 1, 1996.

File 006-96-098.

[Commend Allan Berube]
Resolution congratulating Allan Berube and declaring June 17, 1996 Allan Berube Day. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 1, 1996.

File 006-96-099.

[Commend Derek Glass]
Resolution congratulating, commending and honoring Derek Glass and declaring June 29, 1996 Derek Glass Day. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 1, 1996.

File 006-96-100.

[State Litigation - Tobacco Companies]
Resolution urging California Attorney General Daniel E. Lungren to institute litigation against the United States tobacco companies to recover the costs of caring for people with smoking-related illnesses. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 1, 1996.

File 012-96-035.

Referred to Committee

[City Contracts]
Resolution urging the adoption of certain new requirements for those bidding on city contracts. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 043-96-001.

Referred to Board

[Rescheduling Full Board Meeting]
Resolution revising the regular meeting schedule of the Board of Supervisors by rescheduling the September 23, 1996 meeting to September 24, 1996; and directing the Clerk of the Board of Supervisors to make public notification of such changes. Supervisors Kaufman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar July 1, 1996.

File 054-96-005.

Referred to Committee

[Renaming Park Presidio]
Resolution urging that Park Presidio Boulevard be renamed to Veterans Boulevard. Supervisor Ammiano presented. Referred to Housing and Land Use Committee.

File 075-96-001.

Referred to Board

[Domestic Partnership Benefits Report]
Resolution requesting the Health Service System and the Retirement System to provide information regarding their experience providing benefits to the domestic partners of the employees of the City and County of San Francisco to the Board of Supervisors. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 1, 1996.

File 099-96-001.

Referred to Committee

[Interim Zoning Controls, Alcoholic Beverage Sale]
Substitute resolution imposing Interim Zoning Controls to prohibit introduction of new establishments, or any expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages in the Haight Street Neighborhood Commercial District, as defined in Planning Code Section 719.1, for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1. Supervisors Bierman, Leal presented. Referred to Housing and Land Use Committee.

File 111-96-002.

[Tobacco Paraphernalia Interim Zoning Controls]
Resolution imposing Interim Zoning Controls to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell tobacco paraphernalia, as defined, in neighborhood commercial individual area districts, as established in Planning Code Section 702.1, in the North of Market Residential Special Use District, as established in Planning Code Section 249.5 and areas adjoining this special use district that are zoned RC-4 (High Density Residential-Commercial Combined) and C-3-G (Downtown General Commercial), as established in Planning Code Sections 206.3 and 210.3 respectively, for an eighteen (18) month period and making a finding of consistency with the priority policies of Planning Code Section 101.1. Supervisors Bierman, Alioto presented. Referred to Housing and Land Use Committee.

File 111-96-003.

[Lesbian, Gay, Bisexual, Transgender Center]
Resolution supporting the construction of a community center to serve San Francisco's lesbian, gay, bisexual and transgender communities. Supervisors Katz, Leal, Ammiano, Alioto, Brown, Bierman, Kaufman, Shelley, Teng, Yaki, Hsieh presented. Referred to Government Efficiency/Labor Committee.

File 161-96-005.

Referred to Board

[EOC/Labor Union]
Resolution urging that the management of the Economic Opportunity Council reach a fair collective bargaining agreement with all of its workers. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 1, 1996.

File 176-96-003.

[Main Library Card Catalog]
Resolution urging the Library Commission to preserve the card catalog at the Main Library and make it available to the public. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 1, 1996.

File 225-96-003.

Charter Amendments:

Referred to Committee

[Charter Amendment, Retiree COLA Proposal]
Charter amendment (Second Draft) amending the charter by adding Section A8.526-1 relating to a supplemental cost of living benefit for retirees and their survivors. Supervisor Bierman presented. Referred to Rules Committee.

File 246-96-001.

[Charter, Board of Supervisors Compensation]
Charter amendment (Second Draft) amending Section 2.100 to set the salary for members of the Board of Supervisors at $50,000 per year and by adding Section A8.502-1 to make members of the Board of Supervisors members of the Retirement System. Supervisor Ammiano presented. Referred to Rules Committee.

File 249-96-001.

[Charter, At-large Election, Preference Voting]
Charter amendment (Second Draft) amending Sections 2.100 and 2.116 and adding Section 13.110 to provide for the at-large election of 11 supervisors, using preference voting. Supervisor Ammiano presented. Referred to Rules Committee.

File 250-96-001.

[Charter, District Election, Preference Voting]
Charter amendment (Second Draft) amending Sections 2.100, 2.116, 13.101, 13,102 and 14,103 and adding Section 13.110 to provide for the election of 11 supervisors from 11 districts. Supervisor Ammiano presented. Referred to Rules Committee.

File 251-96-001.

[Charter, Collective Bargaining]
Charter amendment (Second Draft-draft) amending the charter by deleting Sections A8.342, A8.343, A8.344, A8.345, A8.346, A8.364, A8.405, A8.409 through A8.409-6 and A8.590-1 through A8.590-7; by amending Sections 8.403, 8.404 and 11.100 and by adding Sections 10.106 and 11.102 concerning compensation of elected officials, collective bargaining and civil service reform. Supervisor Shelley presented. Referred to Rules Committee.

File 252-96-001.

[Charter, Firefighters Retirement Benefits]
Charter amendment (Second Draft-draft) amending Section 8.588 relating to retirement benefits for firefighters. Supervisor Shelley presented. Referred to Rules Committee.

File 253-96-001.

[Charter Amendment, Consent Decrees]
Charter amendment (First Draft-draft) amending Sections 10.102, 10.104 and Appendix A8.590-5 relating to the hiring and promotion of uniformed members of the San Francisco Police and Fire Departments. Supervisor Shelley presented. Referred to Rules Committee.

File 257-96-001.

Requests for Hearings:

[Federal Lobbyist]
Hearing to consider potential conflicts of interest involving the relationship between San Francisco's federal lobbyist, Cassidy and Associates, and the tobacco industry and any impact this relationship may have on federal legislation relating to tobacco products and the tobacco industry. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 033-96-003.01.

[Glen Canyon Park Traffic Issues]
Hearing to consider the progress of the Recreation and Park Department concerning the issue of traffic management in Glen Canyon Park. Supervisor Shelley presented. Referred to Rules Committee.

File 193-96-004.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar July 1, 1996.

File 030-96-001.12.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-96-006. [Changing Width of Sidewalk, Steuart Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1526 changing the official sidewalk width on the easterly side of Steuart Street between Mission Street and Howard Street, as shown on the Department of Public Works drawing labeled Q-20-437 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 036-96-006. [Zoning Map Amendment, 1306 Portola Drive] Ordinance amending Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property generally described as 1306 Portola Drive, Assessor's Block 2987, Lot 4, to remove a 15-foot legislated setback in an RH-1 (D) (House, One-Family, Detached) District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning) (City Planning Resolution No. 14129, adopted 6/6/96). (Exempt from environmental review as listed under Provision 5(a) of the State Guidelines for the implementation of the California Environmental Quality Act). Referred to Housing and Land Use Committee.

File 045-96-037. [Shaffer v. CCSF] Ordinance authorizing settlement of litigation of Shaffer v. City and County of San Francisco and the City's sale of Assessor's Block 4093, Lot 92. (Superior Court No. 881-639). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-038. [Scott Maynard v. CCSF et al.] Ordinance authorizing settlement of litigation of Scott Maynard against the City and County of San Francisco by payment of $262,500. (U.S. District Court Case No. C-95-04506 WHO). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-039. [Settlement of Union Grievance] Ordinance authorizing settlement of the union grievance filed by SEIU, Local 790 on behalf of Carolyn Jeffrey regarding her termination from the Department of Public Health - General Hospital, by payment of $14,217.33. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-96-009. [CCSF v. Donna E. Shalala] Ordinance authorizing settlement of litigation of City and County of San Francisco against Donna E. Shalala, Secretary of Health and Human Services, for additional Medicare reimbursement. (U.S. District Court Case No. C95-4150 MHP). (City Attorney) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 025-96-013. [Prop J Contract, Budget Analyst Services] Resolution concurring with the Controller's certification that services of the Budget Analyst can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board) Referred to Government Efficiency/Labor Committee.

File 028-96-007. [Emergency Repair, Paceco Crane at Pier 80] Resolution approving a declaration of emergency for repair of broken boom on a crane at the Port of San Francisco's Pier 80 North Container Terminal(foot of Caesar Chavez Street). (Port Commission) Referred to Budget Committee.

File 030-96-012. [DPH Designation Agreement] Resolution designating certain facilities as evaluation and treatment facilities; rescinding Resolution Numbers 588-94 and 47-70 setting forth previous designations; and authorizing the Deputy Director for Mental Health Services to enter into agreements with said facilities. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 040-96-016. [Residential Parking Area "I", Bartlett Street] Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 057-96-002. [Organic Waste Diversion Pilot Program] Resolution urging the Mayor to request the Solid Waste Management Program to work in cooperation with Sanitary Fill Company and its affiliated collection companies to undertake pilot programs to divert food and other organic wastes from landfill disposal and authorizing Sanitary Fill Company to divert organic waste from the Altamont Landfill. (Solid Waste Management) Referred to Health/Public Safety/Environment Committee.

File 064-96-010. [Lease of Property at 635 Potrero Avenue] Resolution authorizing lease of real property at 635 Potrero Avenue for the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-96-011. [Extension and Renewal of Lease] Resolution authorizing renewal and extension of a lease of real property at 3450 Third Street, Building 1-A, San Francisco, for the comprehensive child crisis service of the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-96-012. [Lease of Property at 450 Seventh Street] Resolution authorizing a revocable license agreement for lease of property at 450 Seventh Street for the Police Department. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 130-96-001. [Grant - State, Adult Probation Drug Abatement] Resolution authorizing the Chief Adult Probation Officer of the City and County of San Francisco to apply for, accept and expend funds in the amount of $180,774 which includes indirect costs in the amount of $9,039 based on five percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project". (Adult Probation Department) Referred to Government Efficiency/Labor Committee.

File 138-96-006. [Grant - State, Drug Abatement Project] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds in the amount of $317,421.00 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Drug Abatement Project", for the twelve month period July 1, 1996 through June 30, 1997. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-96-007. [Grant, Major Narcotic Vendors Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept, and expend funds in the amount of $135,501.00 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Office Major Narcotic Vendors Prosecution Program", for the twelve month period July 1, 1996 through June 30, 1997. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 143-96-002. [Grant - State, Anti-Drug Abuse Enforcement Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of One Hundred Fifty-One Thousand Five Hundred Ninety-Four Dollars (151,594.00), which includes indirect costs of Seven Thousand Five Hundred Eighty Dollars ($7,580.00), based upon five percent (5%) of the total grant award, and One-Thousand Five Hundred Dollars ($1,500.00) for audit costs, for continual funding for a project entitled "Anti-Drug Abuse Enforcement Program". (Police Department) Referred to Government Efficiency/Labor Committee.

File 172-96-021. [Mutual Indemnification Agreement, SFCCD/DPH] Resolution authorizing the Director of Health to execute an agreement, including mutual indemnification, with the San Francisco Community College District, in regard to an agreement to provide educational services for the Department of Public Health's Childhood Lead Prevention Program. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that letter be sent to all departments who provide funding to community organizations/agencies requesting report on the total grant allocations given to all non-profit organizations and the percentage of grant allocations given to non-profit organizations serving the Asian Pacific Islander communities.

By Supervisor Shelley, that City Attorney draft an ordinance requiring the Recreation and Park Department and other city departments using pesticides to reduce overall use of pesticides by 50 percent by the year 1998; ban the use of the most toxic and hazardous pesticides; establish a pre-notification and post-notification policy for the use of pesticides; implement an integrated pest management policy and hire an independent consultant to advise the departments in implementing these policies.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Don Brandon (Supervisor Shelley)
Roy J. Scola (Supervisor Bierman)
Joseph Karesh (Supervisor Bierman)
Lillian Schuman (Supervisors Kaufman, Leal)
Arch Williams (Supervisor Ammiano)

Howard Stone (Supervisor Ammiano)
Matthew Lynch (Supervisor Ammiano)
Thomas Meyer (Supervisor Ammiano)
Freda Weiner (Supervisor Katz)

File 2-96-26

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:49 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 5, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, July 1, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 27

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 1, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Noted absent at first roll call:

Supervisors Alioto, Teng - 2.

Quorum present.

Supervisor Alioto was noted present at 2:10 p.m.

Supervisor Teng excused, on official leave of absence.

CONSENT CALENDAR

Recommendations of Select Committee on Charter Implementation

Finally Passed

[General Plan Referrals]
Ordinance amending Administrative Code to provide for General Plan referrals. (Supervisor Kaufman)

File 97-96-35, Ordinance No. 279-96

(Adds Section 3.012.)

Finally passed.

[General Plan Referral, Capital Improvement]
Ordinance amending Administrative Code to provide for General Plan referrals by the Capital Improvement Advisory Committee. (Supervisor Kaufman)

File 97-96-36, Ordinance No. 280-96

(Amends Section 3.011.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Tour Bus Prohibition]
Ordinance amending Ordinance No. 88-96, which amended the Police Code to prohibit tour buses on El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and Legion of Honor Drive, and 25th Avenue between Lake Street and El Camino Del Mar through June 30, 1996, by amending Section 3 to provide that this prohibition on tour buses shall expire on June 30, 1997 rather than June 30, 1996. (Supervisors Shelley, Yaki)

File 121-96-2.1, Ordinance No. 281-96

Finally passed.

[Extend Sunset Clause - Tour Bus Prohibition on 15th Ave.]
Ordinance amending Ordinance No. 115-96, which amended the Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio through June 30, 1996 by amending Section 2 to provide that this prohibition on tour buses shall expire on June 30, 1997 rather than June 30, 1996. (Supervisors Shelley, Yaki)

File 121-96-5.2, Ordinance No. 282-96

Finally passed.

Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Regulating the Sale of "Saturday Night Specials"]
Ordinance amending Chapter 8, Police Code, to define and prohibit the sale of certain firearms deemed "Saturday Night Specials". (Supervisors Leal, Yaki, Shelley, Kaufman, Bierman, Alioto)

File 121-96-10, Ordinance No. 283-96

(Amends Sections 613.1 and 613.10; adds Section 613.10-1.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Management Agreement Amendment]
Resolution approving amendment of the management agreement (between Parking Authority and Five Star Parking/Universal Parking Resources) for operation of the San Francisco General Hospital Medical Center Parking System. (Real Estate Department)

File 47-96-4, Resolution No. 614-96

Adopted.

[Settlement of Claim, CSAA Insurance]
Resolution approving the settlement of the unlitigated claim of CCAA Insurance (Charles Crockett) by payment of $12,300. (City Attorney)

File 48-96-20, Resolution No. 616-96

Adopted.

(Extension and Renewal of Leases]
Resolution authorizing extension and renewal of eleven (11) existing leases of real property required by the Department of Public Health. (Real Estate Department)

File 64-96-6, Resolution No. 619-96

Adopted.

[Lease of Property at 3801 Third Street]
Resolution authorizing a lease of real property at 3801 Third Street, for the Department of Public Works. (Real Estate Department)

File 64-96-8, Resolution No. 620-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Alioto, Teng - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Monday, July 1, 1996

From the Clerk

(Only one of the following two Motions should be adopted.)

(Supervisor Hsieh Excused from Voting.)
(See Journal of Proceedings of May 6, 1996.)

Adopted as Divided

[Appeal, Wireless Transmission Facilities]
((Motion approving decision of the City Planning Commission by its Motions 14067 and 14072 approving Conditional Use Applications 95.348C and 95.393C, on properties located at 1700 Haight Street and 669-677 Portola Drive.))

Motion approving decision of the City Planning Commission by its Motion 14067 approving Conditional Use Application 95.348C on property located at 1700 Haight Street.

File 37-96-1.4

(June 17, 1996 - Consideration continued to July 1, 1996.)

At the request of Supervisor Yaki, the question was divided concerning 1700 Haight Street, so the matter could be considered separately.

The roll was then called on the main motion and it was adopted as divided, by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Tabled as Divided

[Zoning Appeal]
Motion approving decision of the Planning Commission by its Motion 14067 approving Conditional Use Application 95.348C, on property located at 1700 Haight Street. (Clerk of the Board)

File 37-96-1.10

Supervisor Yaki, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Filed

[Appeal, Wireless Transmission Facilities]
Motion disapproving decision of the City Planning Commission by its motions 14067 and 14072 approving Conditional Use Applications 95.348C and 95.393C, on properties located at 1700 Haight Street and 669-677 Portola Drive.

File 37-96-1.5

(June 17, 1996 - Consideration continued to July 1, 1996.)

No action taken; filed.

Adopted as Divided

[Findings]
((Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Applications 95.393C and 95.393C, on properties located at 1700 Haight Street and 669-677 Portola Drive, for action by the Board at its next meeting.))

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application 95.393C, on property located at 669-677 Portola Drive, for action by the Board at its next meeting.

File 37-96-1.6

(June 17, 1996 - Consideration continued to July 1, 1996.)

At the request of Supervisor Yaki, the question was divided concerning 1700 Haight Street, so the matter could be considered separately.

The roll was then called on the main motion and it was adopted as divided, by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Shelley, Yaki - 6.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Tabled as Divided

[Zoning Appeal]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application 95.348C on property located at 1700 Haight Street, for action by the Board at its next meeting.

File 37-96-1.11

Supervisor Yaki, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki- 9.

Excused: Supervisor Hsieh - 1.

Absent: Supervisor Teng - 1.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Library Foundation Lease]
Ordinance approving a Memorandum of Understanding between the Public Library and the Library Foundation of San Francisco for use of space in the new main library building for the performance of library-related services, generation of revenues for library department purposes and assurance of private funds to provide support on an ongoing basis for the public library system; and authorizing and approving certain agreements directly with the Library Foundation as contemplated by such MOU, including a lease of office space and an agreement giving the Foundation the right to manage the meeting rooms, auditorium and other space for private functions and special events and to charge fees for such uses. (Supervisors Kaufman, Alioto)

File 65-96-5, Ordinance No. 276-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Recommendations of Select Committee on Charter Implementation

Finally Passed

[Former Charter Provisions]
Ordinance amending Administrative Code, 1932 Charter, respectively; making necessary changes to conform to the 1996 Charter; and repealing former Sections 3.201 and 7.603 of the 1932 Charter. (Supervisor Kaufman)

File 97-96-19, Ordinance No. 277-96

(Adds Sections 1.49, 2.1-1, 2A.10, 2A.19, 2A.20, 2A.30, 10.01, 10.02, 10.03, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06 and 2A.110, to codify Charter Sections 1.103, 2.101, 3.100, 3.302, 3.303, 3.501, 6.300, 6.306, 6.307, 7.100, 7.101, 7.102, 7.103, 7.200, 7.203 and 7.400 and repeals Charter Sections 3.201 and 7.603.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Chief Administrative Officer]
Ordinance amending Administrative Code relating to functions and duties of the Chief Administrative Officer, to conform to the provisions of the Charter of 1996; and repealing various sections relating to a city hall portable communication system; temporary use of official voting machines, and contract approvals. (Supervisor Kaufman)

File 97-96-19.1, Ordinance No. 278-96

(Amends Sections 1.6-A, 1.25-7, 1.48, 2.70, 2.70-5, 2.92 , 3.06, 3.019, 3.15, 4.1, 4.1-1, 4.2, 4.3, 4.9-1, 4.10, 4.10-1, 4.11, 4.12, 5.7, 5.64, 5.83, 5.108.A-1, 5.108.A-3, 5.150, 6.1-1, 6.1-2, 6.1-5, 6.3, 6.6, 6.18, 6.20, 6.21, 6.22-1, 6.28, 6.30, 6.51, 7.3, 7.6-1, 7.7, 8.3, 8.5, 8.7, 8.12.2, 8.12-1, 8.12-2.1, 9A.1, 9A.3, 9A.4, 9A.5, 9A.7, 9A.8, 9A.9, 9A.12, 9A.15, 9A.17, 9A.18, 10.24, 10.33, 10.34, 10.43-5, 10.87, 10.98-1, 10.109-6, 10.110-1, 10.117, 10.117-4, 10.117.11, 10.117-26, 10.117-30, 10.117-35, 10.117-42, 10.117-69, 10.117-70, 10.117-78, 10.126, 10.171, 10.172, 10.172-1, 10.200, 10.201, 10.204, 10F.2, 11.5, 11.6, 11.21, 11.23, 11.25, 11.26, 11.30, 11.31, 12A.5, 12D.6, 12D.7, 12D.8, 12D.12, 12D.14, 12D.15 and 12I.2 and repeals Sections 4.1-2, 4.14, and 6.29.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Recommendation of Rules Committee

Adopted

[Revised Rules of Order]
Motion amending the Rules of Order of the Board of Supervisors by adopting a new edition of the rules. (Supervisor Shelley)

File 56-96-1

(June 24, 1996 - Consideration continued to July 1, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

NEW BUSINESS

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Sidewalk Width Regulations, Fulton Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by changing the official sidewalk width on the south side of Fulton Street, west of Stanyan Street, as shown on the Department of Public Works drawing labeled Q-20-438 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-4, Ordinance No.

(Adds Section 1524.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Sidewalk Width Regulations, Langton Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by establishing the official sidewalk width on the northeasterly side of Langton Street, southeasterly of Bryant Street, to the southerly terminus of Langton Street, as shown on the Department of Public Works drawing labeled Q-20-448 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-5, Ordinance No.

(Adds Section 1525.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted

[Appeal, Mental Health Service Facility Relocation]
Motion concurring in the decision of the Health Commission, and approving the relocation of the South of Market Mental Health Clinic from 471 Jessie Street to 760 Harrison Street. (Housing and Land Use Committee)

File 29-96-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Recommendation of Select Committee on Charter Implementation

Passed for Second Reading

[Chief Administrative Officer]
Ordinance amending Administrative Code relating to functions and duties of the Chief Administrative Officer, to conform to the provisions of the Charter of 1996; and repealing various sections. (Supervisor Kaufman)

File 97-96-19.2, Ordinance No.

(Amends Sections 16.4, 16.6-23, 16.6-48, 16.9-24, 16.93-3, 16.113, 16.121-2, 16.121-4, 16.121-5, 16.402, 20.46, 21.2, 21.5, 21.6, 21.8, 21.11, 21.13-1, 21.15, 21.17, 21.18, 21.22, 21.25, 21.28, 21.34, 21.39, 21.46, 21.53, 21A.2, 21A.3, 22.2, 22.4, 22B.2, 23.10, 33.2, 33.10, 51.03, 51.04, 54.2, 54.4, 56.17, 57.5, 58.6, 66.6, 66A.2, 66A.14, 66A.26, 66A.27, 66A.28, 67.4, 67.29, 67.30 and 67.31 and repeals Sections 16.6-50, 16.6-52, 16.96, 16.143, 21.18-1, and 21.18-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Environmental Findings, Rooftop Surface Lease]
Resolution reaffirming adoption of findings and statement of overriding considerations pursuant to the California Environmental Quality Act (CEQA) for the Yerba Buena Gardens Redevelopment Agency/City Rooftop Surface Lease. (Chief Administrative Officer)

File 65-96-8, Resolution No. 621-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Passed for Second Reading

[Redevelopment Agency Rooftop Surface Lease]
Ordinance providing for the approval, execution and delivery of the Agency Rooftop Surface Lease, between City and County of San Francisco ("City") and Redevelopment Agency ("Agency"), for a portion of the Central Block Three of the Yerba Buena Gardens; providing for the approval, execution and delivery of the Coordination Agreement, between the City and the Agency, regarding the operation and use of Central Block Three; providing for the approval, execution and delivery of the amendment to 1988 Reciprocal Easement Agreement, dated as of March 1, 1988, between the City and the Agency affecting Central Block Three; providing for the execution of any additional documents in connection therewith; and ratifying previous actions taken in connection therewith; companion measure to File 65-96-8. (Chief Administrative Officer)

File 65-96-8.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Compensation Schedules for Superior Court]
Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court. (Superior Court)

File 106-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Compensation, Municipal Court, FY 1996-97]
Ordinance setting schedules of compensation and other economic benefits for fiscal year 1996-97 for certain classifications of persons employed by the Municipal Court. (Municipal Court)

File 106-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Medical Services Contract]
Ordinance authorizing the Director of Public Health to execute an agreement with the San Francisco Health Plan for the Department of Public Health to provide services to San Francisco Health Plan members, which agreement includes binding arbitration and hold harmless clauses. (Department of Public Health)

File 172-96-18, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Medical Services Contract]
Ordinance authorizing the Director of Public Health to execute an agreement with the California Department of Corrections for the Department of Public Health to provide services to inmates at the Elizabeth Frye Center, which agreement includes binding arbitration and indemnification clauses. (Department of Public Health)

File 172-96-19, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted

[Performing Arts Garage Management Agreement]
Resolution approving form of the Performing Arts Garage management agreement and bid documents, and authorizing Parking Authority to request bids for management of the Performing Arts Garage using the approved bid documents. (Real Estate Department)

File 47-96-6, Resolution No. 615-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Grant - Private]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, to accept and expend a grant of $190,691, from the Miriam and Peter Haas Fund, to create an integrated model of targeted consultation by establishing an intensive consultant training program which will prepare mental health practitioners to provide consultation, staff training, prevention and early intervention services and support for constituents of licensed, center-based early childhood programs serving San Francisco's low-income families; providing for ratification of action previously taken and waiving indirect costs. (Supervisors Alioto, Shelley)

File 146-96-9, Resolution No. 623-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

[Grant, Universitywide AIDS Research Program]
Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively and accept and expend a grant of $119,143 from the University of California Universitywide AIDS Research Program to evaluate the referral component of the HIV Counseling, Testing, Referral and Partner Notification (CTRPN) Program; waiving indirect costs and providing for ratification of action previously taken. (Supervisors Alioto, Shelley)

File 146-96-10, Resolution No. 624-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider amending Ordinance concerning tax on transient occupancy of hotel rooms to increase the current total transient occupancy surcharge by two percent and to impose an additional two percent transient occupancy surcharge in certain redevelopment project areas, both sections to be effective on August 1, 1996. (Supervisor Ammiano)

File 127-96-3

(June 24, 1996 - The first public hearing was held. See supra.)

The privilege of the floor was granted to the following person:

Rachel Pitinsky.

Recommendation of Budget Committee

Passed for Second Reading

[Transient Occupancy Tax]
Ordinance amending Municipal Code, Part III, concerning the tax on transient occupancy of hotel rooms to increase the current total transient occupancy surcharge by two percent and to impose an additional two percent transient occupancy surcharge in certain redevelopment project areas, both sections to be effective on August 1, 1996. (Supervisor Ammiano)

File 127-96-3, Ordinance No.

(Adds Section 502.6-1 and 502.8-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Vaughey, Pier 39;
John Flaherty, sewer smells in financial district;
Brandon Johnson, Bay Area Youth News;
Eula Walters, Ferry Park;
Richard Robinson, homelessness;
Female speaker, drug laws.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Main Library Card Catalog]
Resolution urging the Library Commission to preserve the card catalog at the Main Library and make it available to the public. (Supervisors Shelley, Alioto, Bierman, Ammiano, Yaki, Katz, Leal, Bierman)

File 225-96-003, Resolution No. 626-96

(June 24, 1996 - Introduced in Board for consideration on July 1, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

In connection with the above item, Supervisors Yaki, Katz, Leal, Bierman requested to be added as co-sponsors.

The President resumed the Chair.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Chamber of Commerce]
Resolution recognizing the decision by the San Francisco Chamber of Commerce to oppose the California Civil Rights Initiative and commending the Chamber for its acknowledgment that affirmative action is good business. (Supervisors Leal, Kaufman, Hsieh, Ammiano, Alioto, Katz, Bierman, Yaki, Teng, Shelley, Brown)

File 006-96-098, Resolution No. 607-96

(June 24, 1996 - Introduced in Board for consideration on July 1, 1996.)

Adopted.

[Commend Allan Berube]
Resolution congratulating Allan Berube and declaring June 17, 1996 Allan Berube Day. (Supervisors Ammiano, Alioto, Bierman)

File 006-96-099, Resolution No. 608-96

(June 24, 1996 - Introduced in Board for consideration on July 1, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Commend Derek Glass]
Resolution congratulating, commending and honoring Derek Glass and declaring June 29, 1996 Derek Glass Day. (Supervisors Ammiano, Alioto, Bierman)

File 006-96-100, Resolution No. 609-96

(June 24, 1996 - Introduced in Board for consideration on July 1, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[State Litigation - Tobacco Companies]
Resolution urging California Attorney General Daniel E. Lungren to institute litigation against the United States tobacco companies to recover the costs of caring for people with smoking-related illnesses. (Supervisors Alioto, Yaki, Bierman)

File 012-96-035, Resolution No. 612-96

(June 24, 1996 - Introduced in Board for consideration on July 1, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Bierman requested to be added as co-sponsors.

[Rescheduling Full Board Meeting]
Resolution revising the regular meeting schedule of the Board of Supervisors by rescheduling the September 23, 1996 meeting to September 24, 1996; and directing the Clerk of the Board of Supervisors to make public notification of such changes. (Supervisors Kaufman, Katz)

File 054-96-005, Resolution No. 617-96

(June 24, 1996 - Introduced in Board for consideration on July 1, 1996.)

Adopted.

[Domestic Partnership Benefits Report]
Resolution requesting the Health Service System and the Retirement System to provide information regarding their experience providing benefits to the domestic partners of the employees of the City and County of San Francisco to the Board of Supervisors. (Supervisors Bierman, Katz, Leal)

File 099-96-001, Resolution No. 622-96

(June 24, 1996 - Introduced in Board for consideration on July 1, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Leal requested to be added as co-sponsors.

[EOC/Labor Union]
Resolution urging that the management of the Economic Opportunity Council reach a fair collective bargaining agreement with all of its workers. (Supervisors Ammiano, Bierman, Yaki, Katz)

File 176-96-003, Resolution No. 625-96

(June 24, 1996 - Introduced in Board for consideration on July 1, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Yaki, Katz requested to be added as co-sponsors.

[Aim High]
Resolution proclaiming June 29, 1996 Aim High day in San Francisco. (Supervisors Yaki, Bierman)

File 4-96-15, Resolution No. 606-96

(June 25, 1996 - Introduced for consideration July 1, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-27, Resolution No. 605-96

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 030-96-001.12

(June 24, 1996 - Introduced in Board for consideration on July 1, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Imperative Resolutions]

Adopted

[Commending James W. Haas]
Resolution commending James W. Haas for his 20 years of dedication and effort to provide the City and County of San Francisco with a new city charter.

File 006-96-101, Resolution No. 610-96

Supervisors Kaufman, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Commending TJ Anthony]
Resolution commending TJ Anthony for his years of service to the City and County of San Francisco, especially his monumental effort in helping to draft and secure the passage of the new city charter by the voters of San Francisco.

File 006-96-102, Resolution No. 611-96

Supervisors Kaufman, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Smyth Extradition]
Resolution calling upon the President to refrain from extraditing Jimmy Smyth.

File 013-96-028, Resolution No. 613-96

Supervisors Shelley, Yaki, Bierman, Ammiano, Alioto, Teng, Leal, Katz, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

[Golden Gate Bridge Barrier]
Resolution urging the Board of Directors of the Golden Gate Bridge, Highway and Transportation District to implement a movable barrier system to protect the public from oncoming traffic on the Golden Gate Bridge and urging the California State Legislature to implement a safety-enhancement triple fine zone for speed limit violators on the Golden Gate Bridge and Doyle Drive approach.

File 055-96-001, Resolution No. 618-96

Supervisor Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Hsieh, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Special Election]
Ordinance calling and providing for a Special Election to be held in the City and County of San Francisco on Tuesday, November 5, 1996, for the purpose of submitting to the voters of the City and County of San Francisco propositions to incur the following bonded debts of the City and County: (1) $73,300,000 for the acquisition, construction and/or reconstruction of a new museum facility to replace the De Young Museum;and (2) $100,000,000 for the financing of the low-income housing and down-payment assistance to low and moderate first-time homebuyers; and that the estimated cost of said projects is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated costs of such projects; fixing the date of election and the manner of holding such election and the procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. Supervisor Shelley presented. Referred to Budget Committee with request it be considered July 10, 1996.

File 060-96-006.

[Transit Shelter Advertising]
Ordinance amending Planning Code by amending Section 603 to permit transit shelter advertising on median public transit boarding platforms on the Embarcadero, and adopting findings pursuant to City Planning Code Section 101.1. Supervisor Yaki presented. Referred to Housing and Land Use Committee.

File 115-96-008.

Referred to Board

[Commending Bank of America]
Resolution commending Bank of America on the occasion of the opening of its newly renovated clock tower building and proclaiming Thursday, July 18, 1996 as Bank of America Day in San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar July 8, 1996.

File 006-96-103.

[Supporting SB 1545-Electronics Recycling]
Resolution urging the California State Legislature to support SB 1545, a bill establishing an electronics recycling program that would promote waste reduction and recycling of computers and other electronic equipment in California. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar July 8, 1996.

File 012-96-036.

[State Budget]
Resolution opposing any proposed restrictions in the state fiscal year 1996-1997 budget or any implementing legislation that restricts Proposition 99 tobacco research and media programs. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 8, 1996.

File 012-96-037.

[Multi-Lingual Testing - DMV]
Resolution urging the State Attorney General to conclude that Article III, Section 6 of the California Constitution does not preclude the use of multi-lingual testing at the California Department of Motor Vehicles. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar July 8, 1996.

File 012-96-038.

[Federal Legislation]
Resolution supporting Senate Joint Resolution 52 (SJ Res 52) that proposes an amendment to the Constitution of the United States to protect the rights of victims of crime. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 8, 1996.

File 013-96-027.

[Urging Release of Seized NZT Drug]
Resolution urging the Federal Drug Administration (FDA) to intervene on behalf of people with AIDS who have severe cryptosporidiosis, to release the shipment of Nitazoxanide, an experimental drug, reported effective in treating patients with the parasite called Cryptosporidium. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 8, 1996.

File 013-96-029.

[Contract Dispute]
Resolution urging the Mayor to urge the Health Commission to review all contracts and recommend that those contracts be awarded only to not-for-profit health care providers that operate in a responsible corporate manner. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 8, 1996.

File 030-96-013.

[Adult and Juvenile Probation Departments]
Resolution giving notice of intention to approve an amendment to the contract between the Board of Administration of the Public Employees' Retirement System and the Board of Supervisors relating to membership in said retirement system by members of the Adult and Juvenile Probation Departments. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar July 8, 1996.

File 154-96-001.

[Revision of Telecommunications Guidelines]
Resolution urging the Planning Commission to revise the Wireless Telecommunication Facilities Guidelines it adopted May 23, 1996 by changing the location preferences therein to limit the opportunity for placement of such facilities in certain R-Districts until a Telecommunications Facilities Amendment has been adopted as part of the Master Plan and to recommend to the Board of Supervisors adoption of a moratorium on placement of such facilities, subject to certain conditions, for six months or upon the adoption of the Master Plan Amendment, whichever occurs later. Supervisors Yaki, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 8, 1996.

File 189-96-002.

Referred to Committee

[Castro Street Walk of Fame]
Resolution designating the sidewalk areas of Castro Street between Market and 19th Streets as a place to commemorate members of the lesbian, gay, bisexual and transgender community with commemorative street plaques pursuant to Public Works Code Section 789.2(b) and urging the Director of Public Works and the City Attorney to establish a concept paper exploring the creation of a public/private partnership to develop and implement a Walk of Fame on Castro Street. Supervisors Leal, Ammiano, Katz, Kaufman presented. Referred to Housing and Land Use Committee.

File 200-96-005.

Requests for Hearings:

[Construction on Kensington Way]
Hearing to consider construction at 118, 128 and 138 Kensington Way and requesting the staff of the Planning Department and the Bureau of Building Inspection to discuss responsibility for permitting a retaining wall to be constructed without a permit and staff of the Recreation and Parks Department to report on the status of damage to the city. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 010-96-004.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-96-008. [Termination of Lease, Continental Airlines] Ordinance approving early termination of Lease Nos. PUC 21391 and 21968 between Continental Airlines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 115-96-007. [Charter Implementation Planning Code] Ordinance amending Planning Code by adding Section 108 to make the new names of the General Plan, Planning Department, Planning Commission and Board of Appeals applicable to the Planning Code, adding Section 340 to implement the Charter and provide procedures for General Plan amendments, amending Sections 302, 306, 306.1, 306.2, 306.3, 306.4, 306.5, and 308.1 to make the Planning Code consistent with the Charter and clarify procedures and amending Section 308.2 changing the time period for an appeal to a written determination of the Zoning Administrator from ten days to fifteen days as provided in the Administrative Code. (Planning Department) (City Planning Resolution No. 14138, adopted 6/13/96). (Exempt Status: General Rule Exclusion (State Guidelines, Section 15061(b)(3)). Referred to Select Committee on Charter Reform.

Resolutions Referred to Committee

File 025-96-014. [Prop J Contract, Intake/Shelter Services] Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

File 025-96-015. [Prop J Contract, Security Guard Services] Resolution concurring with the Controller's certification that security services can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Purchasing Department) Referred to Government Efficiency/Labor Committee.

File 057-96-003. [Solid Waste Siting Element and Summary Plan] Resolution adopting the final draft Siting Element and final draft Summary Plan. (Chief Administrative Officer) (Final Negative Declaration adopted and issued on June 7, 1996.) Referred to Health/Public Safety/Environment Committee.

File 146-96-011. [Federal Grant, Comprehensive Information System] Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively a grant of $200,000 from the Health Services and Resources Administration (HRSA) for a comprehensive information system for children; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-96-022. [Agreement, DHS - CA State Dept of Social Services] Resolution authorizing the Executive Director of the Department of Human Services to enter into an agreement with the California State Department of Social Services to perform licensing functions for the State with regard to Foster Family Homes. (Department of Social Services) Referred to Government Efficiency/Labor Committee.

File 213-96-004. [Grant, Advanced Technology Transit Bus Project] Resolution authorizing the Public Transportation Commission to apply for, retroactively accept and expend up to $7,000,000 (including local match) of Federal Transit Administration Capital Assistance Section 3 funds to carry out Advanced Technology Transit Bus (ATTB) Demonstration Project activities; placing $7,000,000 on reserve. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Juan Davis (Supervisors Yaki, Brown, Bierman)
Carlos Hernandez (Entire Board)
Sylvia Menendez (Entire Board)
Rosita Abriam (Supervisor Alioto)
Patrick J. Newsom (Supervisor Bierman)
Anna Gilbert (Supervisor Kaufman)
Peter Adair (Entire Board)
Celia Eberhardt (Supervisor Leal)

File 2-96-26

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:07 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 5, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, July 8, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 28

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 8, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Noted absent at first roll call:

Supervisors Brown, Katz, Leal - 3.

Quorum present.

Supervisor Brown was noted present at 2:05 p.m.

Supervisor Leal was noted present at 2:05 p.m.

Supervisor Katz was noted present at 2:13 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journal of Proceedings for Tuesday, May 28, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

Suspension of the Rules for Presentation of Guests

Supervisor Teng, seconded by Supervisor Yaki, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mrs. Lei.

No objection and motion carried.

Supervisor Teng introduced and welcomed Mrs. Lei and her family, Sue and Billy, and presented her with a copy of the resolution concerning Old Uncle Gaylord Ice Cream Parlor.

Mrs Lei thanked the Board of Supervisors for the commendation and the efforts the Supervisors put forth on her behalf.

The President resumed the Chair after the presentation.

CONSENT CALENDAR

Recommendations of Housing and Land Use Committee

Finally Passed

[Sidewalk Width Regulations, Fulton Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by changing the official sidewalk width on the south side of Fulton Street, west of Stanyan Street, as shown on the Department of Public Works drawing labeled Q-20-438 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-4, Ordinance No. 284-96

(Adds Section 1524.)

Finally passed.

[Sidewalk Width Regulations, Langton Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by establishing the official sidewalk width on the northeasterly side of Langton Street, southeasterly of Bryant Street, to the southerly terminus of Langton Street, as shown on the Department Public Works drawing labeled Q-20-448 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-96-5, Ordinance No. 285-96

(Adds Section 1525.)

Finally passed.

Recommendation of Select Committee on Charter Implementation

Finally Passed

[Chief Administrative Officer]
Ordinance amending Administrative Code relating to functions and duties of the Chief Administrative Officer, to conform to the provisions of the Charter of 1996; and repealing various sections. (Supervisor Kaufman)

File 97-96-19.2, Ordinance No. 287-96

(Amends Sections 16.4, 16.6-23, 16.6-48, 16.9-24, 16.93-3, 16.113, 16.121-2, 16.121-4, 16.121-5, 16.402, 20.46, 21.2, 21.5, 21.6, 21.8, 21.11, 21.13-1, 21.15, 21.17, 21.18, 21.22, 21.25, 21.28, 21.34, 21.39, 21.46, 21.53, 21A.2, 21A.3, 22.2, 22.4, 22B.2, 23.10, 33.2, 33.10, 51.03, 51.04, 54.2, 54.4, 56.17, 57.5, 58.6, 66.6, 66A.2, 66A.14, 66A.26, 66A.27, 66A.28, 67.4, 67.29, 67.30 and 67.31 and repeals Sections 16.6-50, 16.6-52, 16.96, 16.143, 21.18-1, and 21.18-2.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Redevelopment Agency Rooftop Surface Lease]
Ordinance providing for the approval, execution and delivery of the Agency Rooftop Surface Lease, between City and County of San Francisco ("City") and Redevelopment Agency ("Agency"), for a portion of the Central Block Three of the Yerba Buena Gardens; providing for the approval, execution and delivery of the Coordination Agreement, between the City and the Agency, regarding the operation and use of Central Block Three; providing for the approval, execution and delivery of the amendment to 1988 Reciprocal Easement Agreement, dated as of March 1, 1988, between the City and the Agency affecting Central Block Three; providing for the execution of any additional documents in connection therewith; and ratifying previous actions taken in connection therewith. (Chief Administrative Officer)

File 65-96-8.1, Ordinance No. 286-96

Finally passed.

[Compensation Schedules for Superior Court]
Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court. (Superior Court)

File 106-96-2, Ordinance No. 288-96

Finally passed.

[Compensation, Municipal Court, FY 1996-97]
Ordinance setting schedules of compensation and other economic benefits for fiscal year 1996-97 for certain classifications of persons employed by the Municipal Court. (Municipal Court)

File 106-96-3, Ordinance No. 289-96

Finally passed.

[Medical Services Contract]
Ordinance authorizing the Director of Public Health to execute an agreement with the San Francisco Health Plan for the Department of Public Health to provide services to San Francisco Health Plan members, which agreement includes binding arbitration and hold harmless clauses. (Department of Public Health)

File 172-96-18, Ordinance No. 291-96

Finally passed.

[Medical Services Contract]
Ordinance authorizing the Director of Public Health to execute an agreement with the California Department of Corrections for the Department of Public Health to provide services to inmates at the Elizabeth Frye Center, which agreement includes binding arbitration and indemnification clauses. (Department of Public Health)

File 172-96-19, Ordinance No. 292-96

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

(Supervisor Hsieh Excused from Voting)
(See Journal of Proceedings of May 6, 1996.)
(Supervisor Teng was absent during Public Hearing.)

Adopted

[Findings]
Motion adopting findings related to the appeal of the City Planning Commission approval of Conditional Use Application 95.393C, on property located at 669-677 Portola Drive.

File 37-96-1.12

Supervisor Teng Excused From Voting

On advice of the City Attorney, Supervisor Teng requested to be excused from voting.

Thereupon, Supervisor Ammiano, seconded by Supervisor Katz, moved to excuse Supervisor Teng from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Katz, Leal, Shelley, Teng, Yaki - 11.

The roll was then called on the main motion and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Shelley, Yaki - 7.

Noes: Supervisors Alioto, Bierman - 2.

Excused: Supervisors Hsieh, Teng - 2.

Recommendation of Budget Committee

Finally Passed

[Transient Occupancy Tax]
Ordinance amending Municipal Code, Part III, concerning the tax on transient occupancy of hotel rooms

to increase the current total transient occupancy surcharge by two percent and to impose an additional two percent transient occupancy surcharge in certain redevelopment project areas, both sections to be effective on August 1, 1996. (Supervisor Ammiano)

File 127-96-3, Ordinance No. 290-96

(Adds Sections 502.6-1 and 502.8-1.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

NEW BUSINESS

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading

[Bay Area Cellular Telephone Company Transmitter Lease]
Ordinance authorizing and approving a lease of cellular transmitter space in Fire Department Headquarters to Bay Area Cellular Telephone Company (BACTC). (Real Estate Department)

File 65-96-9, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Noes: Supervisor Bierman - 1.

Recommendations of Rules Committee

Passed for Second Reading as Amended

[Telecommunications Commission]
Ordinance amending Administrative Code, to create a Department of Telecommunications and Information Services, a Telecommunications Commission, and a Telecommunications Plan and to transfer certain functions regarding cable television franchises from the Chief Administrative Officer to the Department of Telecommunications and Information Services and to limit the duration of new cable television franchises to ten years. (Supervisors Bierman, Ammiano, Alioto)

File 97-95-34, Ordinance No.

(Adds Sections 11.50, 11.51, 11.52, 11.53, 11.54, 11.55, 11.45 and 11.46.)

Supervisor Bierman, seconded by Supervisor Leal, moved to amend page four, line 23 by adding a new "(iv)" to read: "(iv) negotiating and recommending to the Board cable television franchises" and re-number the old "(iv)" to "(v)" and "(v")" to "(vi)"; amend page seven, line 22 after "submitted to the" by inserting "Mayor and the"; clerical correction on page four, line three, by renumbering the second "(f)" to "(g)".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Passed for Second Reading;
Rescinded;
Passed for Second Reading

[Home Delivery Services]
Ordinance amending Police Code, relating to home delivery services. (Supervisor Shelley)

File 121-96-8.1, Ordinance No.

(Amends Section 3305.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Katz, Leal, Shelley, Teng, Yaki - 11.

Supervisor Brown, seconded by Supervisor Bierman, moved to rescind the previous vote:

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Katz, Leal, Shelley, Teng, Yaki - 11.

Supervisor Teng, seconded by Supervisor Yaki, moved to amend by reinstating the previous language.

After a period of debate, there being no objection, Supervisor Teng withdrew the motion to amend.

The roll was then called on the pending legislation and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

(Pursuant to the provisions of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued as Amended

[Charter Amendment, Retiree COLA Proposal]
Charter amendment (Fourth Draft) (((Third Draft))) amending the charter by adding Section A8.526-1 relating to a supplemental cost of living benefit for retirees and their survivors. (Supervisor Bierman)

File 246-96-1

Supervisor Bierman, seconded by Supervisor Teng, moved an amendment of the whole (Fourth Draft) amending the charter by adding Section A8.526-1 relating to a supplemental cost of living benefit for retirees and their survivors."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Supervisor Leal, seconded by Supervisor Brown, moved to continue consideration as amended to July 15, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Consideration Continued

[Charter, Board of Supervisors Compensation]
Charter amendment (Second Draft) amending Section 2.100 to set the salary for members of the Board of Supervisors at $50,000 per year and by adding Section A8.502-1 to make members of the Board of Supervisors members of the Retirement System. (Supervisors Ammiano, Bierman)

File 249-96-1

(Fiscal Impact.)

Supervisor Leal, seconded by Supervisor Brown, moved to continue consideration to July 15, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Charter, Firefighters Retirement Benefits]
Charter amendment (Third Draft) amending Appendix A8.588 relating to retirement benefits for firefighters. (Supervisor Shelley)

File 253-96-1

Supervisor Leal, seconded by Supervisor Brown, moved to continue consideration to July 15, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Charter Amendment, Consent Decrees]
Charter amendment (Second Draft) amending Section 10.102 relating to the hiring and promotion of uniformed members of the San Francisco Police and Fire Departments. (Supervisor Shelley)

File 257-96-1

Supervisor Leal, seconded by Supervisor Brown, moved to continue consideration to July 15, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

The President resumed the chair.

Budget Statement to the Board of Supervisors
on behalf of the Budget Committee

Supervisor Tom Hsieh, chair of the Budget Committee, presented an oral report to the Board highlighting some of the actions and recommendations of the Committee concerning the 1996-1997 Budget. The Budget Committee achieved General Fund savings of approximately $5.0 million and thereby was able to increase the General Fund Reserve from $12.0 to $14.6 million. The remaining $2.4 million was reallocated to various programs.

Supervisor Hsieh indicated the Budget Committee will continue to monitor state and federal actions on any potential reductions in revenues.

Supervisor Hsieh thanked Supervisors Kaufman and Bierman for their time, efforts, dedication and insight during the budget review process and acknowledged the work of the Budget Analyst, Controller, Mayor's Budget Office, the committee clerk and various legislative assistants to members of the Committee.

A complete copy of the Budget Statement is on file in the Office of the Clerk of the Board of Supervisors.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c). (Supervisors Kaufman, Yaki)

Supervisor Kaufman, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Recess

The Board recessed at the hour of 3:09 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 3:59 p.m., reconvened.

The following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Katz, Leal, Shelley, Teng, Yaki - 10.

Noted absent:

Supervisor Hsieh - 1.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c). The meeting was informational only and no action was taken.

Report on Closed Session

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Leal, seconded by Supervisor Yaki, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Vaughey, neighborhood participation;
Eula Walters, save Ferry Park;
Leboriae P. Smoore, police brutality, housing;
Constance Kuruppu, Alice Griffith Project;
Wendy, police officers, illegal drug actions;
Sarah Murphy, police, housing, evictions;
Female speaker, homeless.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commending Bank of America]
Resolution commending Bank of America on the occasion of the opening of its newly renovated clock tower building and proclaiming

Thursday, July 18, 1996 as Bank of America Day in San Francisco. (Supervisor Kaufman)

File 6-96-103, Resolution No. 627-96

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

[Supporting SB 1545-Electronics Recycling]
Resolution urging the California State Legislature to support SB 1545, a bill establishing an electronics recycling program that would promote waste reduction and recycling of computers and other electronic equipment in California. (Supervisors Yaki, Alioto, Bierman, Leal)

File 12-96-36, Resolution No. 628-96

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[State Budget]
Resolution opposing any proposed restrictions in the state fiscal year 1996-1997 budget or any implementing legislation that restricts Proposition 99 tobacco research and media programs. (Supervisors Alioto, Bierman, Leal, Yaki

File 12-96-37, Resolution No. 629-96

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki requested to be added as co-sponsors.

[Multi-Lingual Testing - DMV]
Resolution urging the State Attorney General to conclude that Article III, Section 6 of the California Constitution does not preclude the use of multi-lingual testing at the California Department of Motor Vehicles. (Supervisors Leal, Alioto, Bierman, Yaki, Katz)

File 12-96-38, Resolution No. 630-96

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Katz requested to be added as co-sponsors.

[Federal Legislation]
Resolution supporting Senate Joint Resolution 52 (SJ Res 52) that proposes an amendment to the Constitution of the United States to protect the rights of victims of crime. (Supervisors Alioto, Bierman)

File 13-96-27, Resolution No. 631-96

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

[Urging Release of Seized NZT Drug]
Resolution urging the Federal Drug Administration (FDA) to intervene on behalf of people with AIDS who have severe cryptosporidiosis, to release the shipment of Nitazoxanide, an experimental drug, reported effective in treating patients with the parasite called cryptosporidium. (Supervisors Ammiano, Alioto, Bierman, Leal, Yaki, Katz)

File 13-96-29, Resolution No. 632-96

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki, Katz requested to be added as co-sponsors.

[Contract Dispute]
Resolution urging the Mayor to urge the Health Commission to review all contracts and recommend that those contracts be awarded only to not-for-profit health care providers that operate in a responsible corporate manner. (Supervisor Ammiano)

File 30-96-13, Resolution No. 633-96

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

[Adult and Juvenile Probation Departments]
Resolution giving notice of intention to approve an amendment to the contract between the Board of Administration of the Public Employees' Retirement System and the Board of Supervisors relating to membership in said retirement system by members of the Adult and Juvenile Probation Departments. (Supervisors Yaki, Bierman)

File 154-96-1, Resolution No. 634-96

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman requested to be added as co-sponsor.

[Revision of Telecommunications Guidelines]
Resolution urging the Planning Commission to revise the Wireless Telecommunication Facilities Guidelines it adopted May 23, 1996 by changing the location preferences therein to limit the opportunity for placement of such facilities in certain R-Districts until a Telecommunications Facilities Amendment has been adopted as part of the Master Plan and to recommend to the Board of Supervisors adoption of a moratorium on placement of such facilities, subject to certain conditions, for six months or upon the adoption of the Master Plan Amendment, whichever occurs later. (Supervisors Yaki, Shelley)

File 189-96-2, Resolution No. 635-96

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

[Final Map, 650 Second Street]
Motion approving final map of 650 Second Street, a Live/Work Condominium Project, being a resubdivision of Lot 2A in Assessor's Block 3788, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-20

(July 1, 1996 - Introduced in Board for consideration on July 8, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Ammiano, Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 9.

Absent: Supervisors Hsieh, Leal - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Compensation, Arbitrator's Award]
Ordinance amending Ordinance No. 316-94 to implement the provisions of the arbitrator's award amending the memorandum of understanding between the Building Inspectors Association and the City and County to be effective July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the July 23, 1996 meeting.

File 093-94-017.05.

[Gender Parity Funding Reports]
Ordinance amending Administrative Code by adding Section 3.17-3, requiring the Mayor's Office of Children, Youth and Families to annually report funds allocated by all departments and agencies of the City and County and the amount of the actual services rendered by them to young males under 18 years of age and young females under 18 years of age and to identify disparities in either the funding allocations and/or the amount of the actual services rendered. Supervisors Kaufman, Leal presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the July 16, 1996 meeting.

File 097-96-041.

[Retirement]
Ordinance authorizing amendment to the contract between the City and County and the Board of Administration of the California Public Employees' Retirement System, to transfer prior service for safety members in the Adult and Juvenile Probation Departments who elected prospective membership on September 1, 1990. Supervisor Yaki presented. Referred to Government Efficiency/Labor Committee with request it be considered at the July 23, 1996 meeting.

File 154-96-001.01.

[Quitclaim Deed, Excelsior Youth Center]
Ordinance authorizing and directing execution of a quitclaim deed from the City and County to the San Francisco Unified School District, a political subdivision of the State of California, for the San Francisco community school site and adopting findings pursuant to City Planning Code Section 101.1. Supervisor Shelley presented. Referred to Budget Committee.

File 203-96-001.

Referred to Board

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board) Referred to Board for Adoption Without Committee Reference Calendar July 15, 1996.

File 001-96-028.

[Commend Japanese Cultural/Community Center]
Resolution commending the Japanese Cultural and Community Center of Northern California on the 10th anniversary of the opening of the community center and declaring July 21, 1996 at "JCCNC Day". Supervisors Teng, Yaki, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 15, 1996.

File 006-96-104.

[Pedestrian Preferred Crossing]
Resolution urging the Parking and Traffic Commission and the Director of Parking and Traffic to consider the feasibility of installing pedestrian preferred crossing signals at the intersection of Castro and 18th Streets. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar July 15, 1996.

File 020-96-011.

Referred to Committee

[Lease of Real Property]
Resolution authorizing the City, as tenant, to enter into a lease with the San Francisco Unified School District, as landlord, for the lease of a portion of the San Francisco Community School play yard for the construction and operation of a youth center, which lease includes indemnities given by the City. Supervisor Shelley presented. Referred to Budget Committee.

File 064-96-014.

Referred to Board

[Healthy Cities]
Resolution supporting the San Francisco Healthy Cities Tenderloin Family Health Care Project. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 15, 1996.

File 030-96-014.

Referred to Committee

[Treasure Island Reuse Plan]
Resolution authorizing and endorsing for submittal to the Federal Government a proposed draft reuse plan for the conversion of Naval Station Treasure Island, including a proposed conveyance plan and homeless assistance submission, as the preferred alternative for the purposes of initiating environmental analysis and meeting the requirements of federal base closure laws. Mayor Brown presented. Referred to Select Committee on Base Closures with request it be considered at the July 16, 1996 meeting.

File 244-96-007.

Referred to Board

[YWCA Chinatown Center]
Resolution urging the YWCA Board of Directors to grant a 60-day extension to the Chinese community to solicit interest from community based entities to utilize the 965 Clay Street YWCA building for the community. Supervisors Teng, Bierman, Ammiano, Katz, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 15, 1996.

File 258-96-001.

[Western Addition YWCA Building]
Resolution recognizing the historical significance and the contributions of the Japanese community to the Western Addition YWCA building and urging the YWCA Board of Directors to negotiate a sale of the building with a community-based entity to serve the needs of the Japantown and Western Addition communities. Supervisors Teng, Yaki, Brown, Bierman, Ammiano, Katz, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 15, 1996.

File 258-96-002.

Requests for Hearings:

[Skateboarding Activities]
Hearing to consider skateboarding activities in order to protect the waterfront promenade and the new Main Library from any further damages and to explore reasonable alternatives for skateboarders. Supervisors Yaki, Brown presented. Referred to Housing and Land Use Committee.

File 124-96-008.

[Utility Undergrounding Fund]
Hearing to consider the status of the fund established to pay for utility undergrounding in San Francisco, pursuant to California Public Utilities Commission Rule 20(a). Supervisor Leal presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the August 1, 1996 meeting.

File 200-96-006.

[Crissy Field Plan]
Hearing to consider the Crissy Field Plan Environmental Assessment and the impact it will have on the Marina District. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered on July 18, 1996.

File 244-96-008.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar July 15, 1996.

File 030-96-001.13.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-96-007. [Zoning Map Amendment, 901 Polk Street] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located at 901 Polk Street at O'Farrell from a NC-3 District to Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 81-96-2 and 81-96-2.1. (Planning Department) (City Planning Resolution No. 14125, adopted 6/6/96.) Referred to Housing and Land Use Committee.

File 081-96-002.01. [Van Ness Special Use District] Ordinance amending Planning Code by amending Sections 243 and 607.3 to allow for the replacement and/or restoration of signs on designated landmarks within the Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 81-96-2 and 36-96-7. (Planning Department) (City Planning Resolution No. 14126, adopted 6/6/96.) Referred to Housing and Land Use Committee.

File 093-95-052.01. [Amendment to MOU, Local 856] Ordinance amending Ordinance No. 21-96 to implement the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856, and the City and County of San Francisco for Bargaining Unit 11B, Supervising Registered Nurses, effective July 1, 1996 through June 30, 1997. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-96-026. [Settlement of Grievances] Ordinance authorizing the Human Resources Director, with the approval of the City Attorney, to settle grievances pursuant to valid Memoranda of Understanding between the City and employee representatives for amounts not to exceed $50,000 to be paid subject to certification of availability of funds by the Controller. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 047-96-008. [Port Parking Garage, Mid-Embarcadero Project] Resolution endorsing, as in the public interest, of an underground parking garage of up to 350 spaces on the southern half of Block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project and requesting the Port and the Waterfront Transportation Projects Office to pursue full funding of the Mid-Embarcadero Replacement Project, including the underground parking garage. (Also see File 85-95-5). (Chief Administrative Officer) Referred to Housing and Land Use Committee.

File 064-96-013. [Lease Extension at 732 Brannan Street] Resolution authorizing extension of an existing month-to-month lease of real property at 732 Brannan Street for the Office of the District Attorney. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 081-96-002. [Findings, 1000 Van Ness Avenue/901 Polk Street] Resolution incorporating by reference findings made by the San Francisco City Planning Commission and adopting findings pursuant to the California Environmental Quality Act relating to the construction of a mixed-used development project at 1000 Van Ness Avenue/901 Polk Street, as analyzed in the Final Environmental Impact Report, Case No. 94.618E; companion measure to Files 81-96-2.1 and 37-96-7. (Planning Department) Referred to Housing and Land Use Committee.

File 089-96-005. [SDI Coverage, Classification 9254] Resolution authorizing enrollment of classification(s) 9254 Assistant to the Director, Bureau of Communications in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 100-96-005. [Transfer of Hetch Hetchy Surplus Funds] Resolution concurring with the Public Utilities Commission's fact finding that a fund surplus of $30,165,393 exists in the Utilities which can be transferred to the General Fund. (Public Utilities Commission) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Leal, that City Attorney draft amendment to Administrative Code Chapter 12D, Minority/Women/Local Business Enterprise Ordinance based on July 11, 1996 recommendations from Coalition for Economic Equity.

By Supervisors Brown, Yaki, that City Attorney review Traffic Code Section 100 concerning use of skateboards and its impact on health, safety and property related issues. File 124-96-8.

By Supervisor Alioto, that City Attorney render a legal opinion regarding tax exemption on properties administered by the Presidio Trust. Specifically, does the Presidio Trust legislation exempt businesses which locate in the Presidio from San Francisco taxes (in particularly San Francisco's business tax).

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Consoladora Manlapaz (Supervisor Shelley)
Rosalie Love (Supervisor Brown)

File 2-96-28

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:39 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 12, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, July 15, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 29

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 15, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Kevin Shelley, the meeting was called to order at 2:06 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 6.

Noted absent at first roll call:

Supervisors Alioto, Ammiano, Bierman, Leal, Shelley - 5.

Quorum present.

Supervisor Alioto was noted present at 2:06 p.m.

Supervisor Ammiano was noted present at 2:05 p.m.

Supervisor Bierman was noted present at 2:07 p.m.

Supervisor Shelley was noted present at 3:11 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Hsieh, seconded by Supervisor Yaki, moved that Supervisor Katz be appointed President Pro Tempore until the arrival of Supervisor Shelley.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 7.

Absent: Supervisors Alioto, Bierman, Leal, Shelley - 4.

Supervisor Leal Excused

The Clerk stated Supervisor Leal requested to be excused from attending today's meeting because of illness.

Supervisor Yaki, seconded by Supervisor Hsieh, moved to excuse Supervisor Leal.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 7.

Absent: Supervisors Alioto, Bierman, Leal, Shelley - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Yaki, moved that the Journal of Proceedings for Monday, June 3, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

Monday, July 15, 1996

Suspension of the Rules

Presentation of Guests

Supervisor Yaki, seconded by Supervisor Teng, moved to suspend Section 4, Item 25, of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Colleen Queen for the purpose of introducing Councillor John Hurl who wished to address the Board.

No objection and motion carried.

Ms. Queen introduced the Honorable John Hurl, Councillor, Magherafelt District Council, County Derry, Ireland, (a position equal to a mayor).

Councillor Hurl thanked the Board of Supervisors for their awareness and support of peace for Northern Ireland and for passing a resolution in support of Jimmy Smyth.

CONSENT CALENDAR

Recommendation of Rules Committee

Finally Passed

[Home Delivery Services]
Ordinance amending Police Code, relating to home delivery services. (Supervisor Shelley)

File 121-96-8.1, Ordinance No. 295-96

(Amends Section 3305.1.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Shaffer v. CCSF]
Ordinance authorizing settlement of litigation of Shaffer v. City and County and the City's sale of Assessor's Block 4093, Lot 92. (City Attorney)

File 45-96-37, Ordinance No.

(Superior Court No. 881-639.)

Passed for second reading.

[Scott Maynard v. CCSF et al.]
Ordinance authorizing settlement of litigation of Scott Maynard against the City and County by payment of $262,500. (City Attorney)

File 45-96-38, Ordinance No.

(U.S. District Court Case No. C-95-04506 WHO.)

Passed for second reading.

[Settlement of Union Grievance]
Ordinance authorizing settlement of the union grievance filed by SEIU, Local 790 on behalf of Carolyn Jeffrey regarding her termination from the Department of Public Health - General Hospital, by payment of $14,217.33. (City Attorney)

File 45-96-39, Ordinance No.

Passed for second reading.

[CCSF v. Donna E. Shalala]
Ordinance authorizing settlement of litigation of City and County against Donna E. Shalala, Secretary of Health and Human Services, for additional Medicare reimbursement. (City Attorney)

File 46-96-9, Ordinance No.

(U.S. District Court Case No. C95-4150 MHP.)

Passed for second reading.

Adopted

[Prop J Contract, Budget Analyst Services]
Resolution concurring with the Controller's certification that services of the Budget Analyst can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board)

File 25-96-13, Resolution No. 639-96

Adopted.

[Lease of Property at 760 Harrison Street]
Resolution authorizing a lease of real property at 760 Harrison Street, San Francisco, for the South of Market Mental Health Service Clinic of the Mental Health Division of Department of Public Health. (Department of Public Health)

File 64-96-9, Resolution No. 644-96

Adopted.

[Lease of Property at 635 Potrero Avenue]
Resolution authorizing lease of real property at 635 Potrero Avenue for the Department of Public Health. (Real Estate Department)

File 64-96-10, Resolution No. 645-96

Adopted.

[Grant - Art Commission]
Resolution authorizing the Art Commission to retroactively apply for, accept and expend $20,000 of California Art Council grant funds to implement a new Collaborative Arts Education Project in Latin American Arts and Culture in partnership with the Mission Cultural Center for Latino Arts and five schools of the San Francisco Unified School District, waiving the 2% associated indirect costs. (Supervisors Yaki, Leal, Alioto)

File 132-96-2, Resolution No. 650-96

Adopted.

[Grant - State, Anti-Drug Abuse Enforcement Program]
Resolution authorizing the Chief of Police to retroactively apply for, accept and expend funds in the amount of One Hundred Fifty-One Thousand Five Hundred Ninety-Four Dollars (151,594.00), which includes indirect costs of Seven Thousand Five Hundred Eighty Dollars ($7,580.00), based upon five percent (5%) of the total grant award, and One Thousand Five Hundred Dollars ($1,500.00) for audit costs, for continual funding for a project entitled "Anti-Drug Abuse Enforcement Program". (Supervisor Alioto)

File 143-96-2, Resolution No. 653-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Bay Area Cellular Telephone Company Transmitter Lease]
Ordinance authorizing and approving a lease of cellular transmitter space in Fire Department Headquarters to Bay Area Cellular Telephone Company (BACTC). (Real Estate Department)

File 65-96-9, Ordinance No. 294-96

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

Recommendations of Rules Committee

Finally Passed

[Telecommunications Commission]
Ordinance amending Administrative Code, to create a Department of Telecommunications and Information Services, a Telecommunications Commission, and a Telecommunications Plan and to transfer certain functions regarding cable television franchises from the Chief Administrative Officer to the Department of Telecommunications and Information Services and to limit the duration of new cable television franchises to ten years. (Supervisors Bierman, Ammiano, Alioto)

File 97-95-34, Ordinance No. 293-96

(Adds Sections 11.50, 11.51, 11.52, 11.53, 11.54, 11.55, 11.45 and 11.46.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

Ordered Submitted

[Charter Amendment, Retiree COLA Proposal]
Charter amendment (Fourth Draft) amending the charter by adding Section A8.526-1 relating to a supplemental cost of living benefit for retirees and their survivors. (Supervisors Bierman, Teng)

File 246-96-1

(July 8, 1996 - Consideration continued to July 15, 1996.)

Fourth Draft ordered submitted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Charter, Board of Supervisors Compensation]
Charter amendment (Second Draft) amending Section 2.100 to set the salary for members of the Board of Supervisors at $50,000 per year and by adding Section A8.502-1 to make members of the Board of Supervisors members of the Retirement System. (Supervisors Ammiano, Bierman, Teng)

File 249-96-1

(Fiscal Impact.)

(July 8, 1996 - Consideration continued to July 15, 1996.)

Second Draft ordered submitted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Charter, Firefighters Retirement Benefits]
Charter amendment (Third Draft) amending Appendix A8.588 relating to retirement benefits for firefighters. (Supervisors Shelley, Alioto, Teng)

File 253-96-1

(July 8, 1996 - Consideration continued to July 15, 1996.)

Third Draft ordered submitted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Alioto, Teng requested to be added as co-sponsors.

[Charter Amendment, Consent Decrees]
Charter amendment (Second Draft) amending Sections 10.102 relating to the hiring and promotion of uniformed members of the San Francisco Police and Fire Departments. (Supervisors Shelley, Alioto, Teng, Bierman, Ammiano, Katz, Brown)

File 257-96-1

(July 8, 1996 - Consideration continued to July 15, 1996.)

Second Draft ordered submitted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisors Alioto, Teng, Bierman, Ammiano, Katz, Brown requested to be added as co-sponsors.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Annual Budget]
Annual Budget for the City and County of San Francisco for fiscal year 1996-97. (Mayor)

File 100-96-1

(Administrative Code Section 3.5 provides the Board shall adopt the budget not earlier than July 15, 1996 nor later than July 26, 1996.)

Supervisor Ammiano, seconded by Supervisor Bierman, moved to amend the budget to restore 27 supervising nurses' positions at Laguna Honda Hospital.

Supervisor Bierman, seconded by Supervisor Alioto, moved substitute amendment to reduce the number from 27 to 17 positions by cutting one assistant director, four nursing supervisors and five head nurses.

After a period of debate, the roll was called on the substitute amendment and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Katz, Shelley - 5.

Noes: Supervisors Brown, Hsieh, Kaufman, Teng, Yaki - 5.

Absent: Supervisor Leal - 1.

There being no objection, Supervisor Ammiano withdrew his pending amendment.

The annual budget was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Annual Appropriation Ordinance, Fiscal Year 1996-97]
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1997; companion measure to File 100-96-1. (Mayor)

File 101-96-2, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

[Annual Salary Ordinance Fiscal Year 1996-97]
An ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1997, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Department of Human Resources)

File 102-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

Adopted

[Redevelopment Agency Budget and Bonds]
Resolution approving the Budget of the Redevelopment Agency for fiscal year 1996-97; approving the issuance by the Agency of bonds in an aggregate principal amount not to exceed $43,000,000 for the purpose of financing redevelopment activities in fiscal year 1996-97; and providing quarterly reports. (Redevelopment Agency)

File 161-96-4, Resolution No. 654-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

Passed for Second Reading

[Special Election]
Ordinance calling and providing for a Special Election to be held in the City and County of San Francisco on Tuesday, November 5, 1996, for the purpose of submitting to the voters of the City and County of San Francisco propositions to incur the following bonded debts of the City and County: (1) $73,300,000 for the acquisition, construction and/or reconstruction of a new museum facility to replace the De Young Museum; and (2) $100,000,000 for the financing of the low-income housing and down-payment assistance to low and moderate first-time homebuyers; and that the estimated cost of said projects is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated costs of such projects; fixing the date of election and the manner of holding such election and the procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. (Supervisors Shelley, Leal, Alioto, Yaki, Katz, Brown, Teng)

File 60-96-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

In connection with the above item, Supervisors Alioto, Yaki, Katz, Brown, Teng requested to be added as co-sponsors.

[Possessory Interest Taxes]
Ordinance amending Administrative Code, to provide that all agreements for private use of City property include an acknowledgment of the private party's potential liability for possessory interest taxes unless the Board of Supervisors specifically authorizes and approves the City's assumption of any such liability and relating to reports to the Assessor. (Supervisors Ammiano, Teng)

File 97-96-11.1, Ordinance No.

(Adds Sections 6.63-1, 6.63-2 and amends Chapter 23 to refer to these new sections.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Environmental Review Fees]
Ordinance amending Administrative Code, to extend the September 30, 1996 Sunset Clause to September 30, 1997, and adjust fees currently charged for Environmental Review actions, activities, and procedures. (Planning Department)

File 97-96-32, Ordinance No.

(Fiscal Impact.)

(Amends Section 31.46A.)

(Exemption from environmental review per Public Resources Code Sec. 21080(b)(8).)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Planning Fees]
Ordinance amending City Planning Code, to extend the September 30, 1996 Sunset Clause to September 30, 1997, impose new fees and adjust fees currently charged for Department of City Planning actions, activities, and services; companion measure to File 97-96-32. (Planning Department)

File 115-96-6, Ordinance No.

(Fiscal Impact.)

(Amends Sections 350 et seq.)

(City Planning Commission Resolution No. 14114.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Tax Collector - Administrative Fees]
Ordinance amending Administrative Code, establishing fees for the administrative costs of the Tax Collector to process documents relating to tax bills. (Supervisor Hsieh)

File 97-96-39, Ordinance No.

(Adds Section 8.34-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Parking Revenue Fund]
Ordinance amending Traffic Code, to provide for the deposit of $7,600,000 in parking meter revenue into the General Fund relating to use of monies in parking meter revenue account concerning general fund amount, for fiscal year 1996-97, if available. (Supervisor Hsieh)

File 124-96-5, Ordinance No.

(Amends Section 213.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

Adopted

[Reimbursement for Moscone Bonds]
Resolution declaring the official intent of the City and County to reimburse certain expenditures from proceeds of future indebtedness incurred for the acquisition and construction of additional Convention Center Facilities. (City Administrator)

File 170-95-11.1, Resolution No. 636-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Sewer Emergency]
Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Hyde Street between Ellis and O'Farrell Streets, South Hill Boulevard between Winding Way and Chicago Way, the Sweeny Street easement between Sweeny Street and West View Avenue and Hallam Street at the Folsom Street Intersection - $257,913. (Department of Public Works)

File 28-96-6, Resolution No. 640-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisor Leal, Shelley - 2.

[Emergency Repair, Paceco Crane at Pier 80]
Resolution approving a declaration of emergency for repair of broken boom on a crane at the Port of San Francisco's Pier 80 North Container Terminal (foot of Caesar Chavez Street). (Port Commission)

File 28-96-7, Resolution No. 641-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Parking Rates]
Resolution approving new parking rates for eight (8) City-owned parking facilities. (Department of Parking and Traffic)

File 47-96-5, Resolution No. 643-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Sale of Surplus City-owned Property]
Resolution confirming sale of surplus City-owned property, Assessor's Block 6203, Lot 2, 400 Campbell Street; Assessor's Block 513, Lot 15, 2475 Greenwich Street. (Real Estate Department)

File 96-96-1, Resolution No. 648-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[MOU, Local 3, Amendment No. 1]
Ordinance amending Ordinance No. 176-96 to correct clerical errors by adopting and implementing the provision of Amendment Number 1 to the Memorandum of Understanding between the Operating Engineers, Local 3 bargaining for Supervising Probation Officers and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-96-18.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Colorado Product Ban Repeal]
Ordinance amending Administrative Code, to remove restrictions prohibiting the City from purchasing any commodity manufactured or produced in the State of Colorado. (Supervisors Ammiano, Alioto, Bierman)

File 97-96-37, Ordinance No.

(Repeals Article XXI, Sections 10.240 through Section 10.247.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

Adopted

[Extension and Renewal of Lease]
Resolution authorizing renewal and extension of a lease of real property at 3450 Third Street, Building A-1, San Francisco, for the comprehensive child crisis service of the Department of Public Health. (Real Estate Department)

File 64-96-11, Resolution No. 646-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Lease of Property at 450 Seventh Street]
Resolution authorizing a revocable license agreement for lease of property at 450 Seventh Street for the Police Department, providing for ratification of actions previously taken. (Real Estate Department)

File 64-96-12, Resolution No. 647-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Grant - State, Adult Probation Drug Abatement]
Resolution authorizing retroactively, the Chief Adult Probation Officer to apply for, accept and expend funds in the amount of $180,774 which includes indirect costs in the amount of $9,039 based on five percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project. (Supervisor Alioto)

File 130-96-1, Resolution No. 649-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Grant - State, Drug Abatement Project]
Resolution authorizing retroactively, the District Attorney to apply for, accept, and expend funds in the amount of $317,421.00 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Drug Abatement Project", for the twelve month period July 1, 1996 through June 30, 1997. (Supervisor Alioto)

File 138-96-6, Resolution No. 651-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisor Leal, Shelley - 2.

[Grant - Major Narcotic Vendors Prosecution Program]
Resolution authorizing retroactively, the District Attorney to apply for, accept, and expend funds in the amount of $135,501.00 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Office Major Narcotic Vendors Prosecution Program", for the twelve month period July 1, 1996 through June 30, 1997. (Supervisor Alioto)

File 138-96-7, Resolution No. 652-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisor Leal, Shelley - 2.

[State Child Care Contract]
Resolution authorizing retroactively, the execution of a contract between the City and County and the State of California Department of Education in the amount of $130,047 for participation by the City and County in the State's Child Care and Development Program for fiscal year 1995-96. (Department of Human Services)

File 172-96-17, Resolution No. 655-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Mutual Indemnification Agreement, SFCCD/DPH]
Resolution authorizing retroactively, the Director of Health to execute an agreement, including mutual indemnification, with the San Francisco Community College District, in regard to an agreement to provide educational services for the Department of Public Health's Childhood Lead Prevention Program. (Department of Public Health)

File 172-96-21, Resolution No. 656-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

(Pursuant to the provisions of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Recommendation of Rules Committee

Consideration Continued

[Charter, Collective Bargaining]
Charter amendment (Fourth Draft) amending the charter by amending Sections 10.100, 10.101, A8.405, A8.409 through A8.409-6, and A8.590-1 through A8.590-7, amending Sections A8.343, A8.403, A8.404 and 11.100, and adding Sections 10.106, 11.100(a), 11.102, 11.103 and 11.104, concerning compensation of elected officials, collective bargaining and civil service reform. (Supervisors Shelley, Bierman)

File 252-96-1

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to July 22, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

From Rules Committee Without Recommendation

Consideration Continued

[Charter, At-large Election, Preference Voting]
Charter amendment (Third Draft) amending Sections 2.100 and 2.116 governing the composition of the Board of Supervisors and the selection of the President of the Board and adding Sections 13.110 and 13.111 to provide for the at-large election of 11 supervisors, using preference voting and setting effective date of January 1, 2000. (Supervisor Ammiano)

File 250-96-1

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to July 22, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

[Charter, District Election, Preference Voting]
Charter amendment (Third Draft) amending Sections 2.100, 2.116, 13.101, 13.102, 14.103 and adds Section 13.110 governing the composition of the Board of Supervisors and the selection of the President of the Board; governing terms of elective office, municipal runoff elections and recall of elective officers; to provide for the election of 11 supervisors from 11 districts and setting effective date of January 1, 2000. (Supervisor Ammiano)

File 251-96-1

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to July 22, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 9.

Absent: Supervisors Leal, Shelley - 2.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

Supervisor Yaki, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

Recess

The Board recessed at the hour of 3:17 p.m. to convene in closed session.

Reconvening of the Board

The Board at the hour of 4:19 p.m., reconvened.

Calling the Roll

The following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Noted absent:

Supervisor Leal - 1.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in concerning potential litigation.

Supervisor Yaki, seconded by Supervisor Kaufman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ernestine Weiss, underground garage, Golden Gateway Center;
Eula Walters, Ferry Park;
Leboriae P. Smoore, police brutality, constitution of the poor.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-28, Resolution No. 659-96

(July 8, 1996 - Introduced in Board for consideration on July 15, 1996.)

(Mike Hennessey, Sheriff, June 28-July 12, 1996.)

Adopted.

[Commend Japanese Cultural/Community Center]
Resolution commending the Japanese Cultural and Community Center of Northern California on the 10th Anniversary of the Opening of the Community Center and declaring July 21, 1996 at "JCCNC Day". (Supervisors Teng, Yaki, Bierman, Shelley, Alioto, Kaufman, Katz, Brown)

File 6-96-104, Resolution No. 637-96

(July 8, 1996 - Introduced in Board for consideration on July 15, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz, Brown requested to be added as co-sponsors.

[Pedestrian Preferred Crossing]
Resolution urging the Parking and Traffic Commission and the Director of Parking and Traffic to consider the feasibility of installing pedestrian preferred crossing signals at the intersection of Castro and 18th Streets. (Supervisors Leal, Bierman, Alioto, Teng, Yaki, Katz, Brown)

File 20-96-11, Resolution No. 638-96

(July 8, 1996 - Introduced in Board for consideration on July 15, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Katz, Brown requested to be added as co-sponsors.

[Healthy Cities]
Resolution supporting the San Francisco Healthy Cities Tenderloin Family Health Care Project. (Supervisors Ammiano, Bierman, Alioto, Kaufman, Teng, Yaki, Katz, Brown)

File 30-96-14, Resolution No. 642-96

(July 8, 1996 - Introduced in Board for consideration on July 15, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Teng, Yaki, Katz, Brown requested to be added as co-sponsors.

[YWCA Chinatown Center]
Resolution urging the YWCA Board of Directors to grant a 60-day extension to the Chinese community to solicit interest from community based entities to utilize the 965 Clay Street YWCA building for the community. (Supervisors Teng, Bierman, Ammiano, Katz, Alioto, Shelley, Kaufman, Yaki, Brown)

File 258-96-1, Resolution No. 657-96

(July 8, 1996 - Introduced in Board for consideration on July 15, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Yaki, Brown requested to be added as co-sponsors.

[Western Addition YWCA Building]
Resolution recognizing the historical significance and the contributions of the Japanese community to the Western Addition YWCA building and urging the YWCA Board of Directors to negotiate a sale of the building with a community-based entity to serve the needs of the Japantown and Western Addition communities. (Supervisors Teng, Yaki, Brown, Bierman, Ammiano, Katz, Alioto, Shelley, Kaufman)

File 258-96-2, Resolution No. 658-96

(July 8, 1996 - Introduced in Board for consideration on July 15, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.13

(July 8, 1996 - Introduced in Board for consideration on July 15, 1996.)

Adopted.

[Final Map, 74 Brady Street]
Motion approving final map of 74 Brady Street, a Live/Work Condominium Project, being a merger and resubdivision of Lots 14-16 in Assessor's Block No. 3504, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-21

(July 8, 1996 - Introduced in Board for consideration on July 15, 1996.

Adopted.

[Final Map, 241 and 245 5th Street/375-393 Tehama Street]
Motion approving final map of 241 and 245 5th Street/375-393 Tehama Street, a Mixed-Use Condominium Project, being a resubdivision of Lot 58 in Assessor's Block 3733, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-22

(July 8, 1996 - Introduced in Board for consideration on July 15, 1996.

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[City Contracts Domestic Partner Benefits]
Substitute ordinance amending Administrative Code by amending Sections 12B.1, 12B.2, 12C.1 and 12C.2 to require any party contracting with the City to provide the same benefits to domestic partners that it provides to spouses and to define domestic partner and benefits. Supervisors Ammiano, Bierman, Alioto, Katz presented. Referred to Government Efficiency/Labor Committee.

File 097-96-033.

[Former Charter Provisions]
Ordinance amending Administrative Code by adding Sections 2.6-4, 2.6-5, 2A.70, 2.6-6, 2A.51, 2A.75, 2A.76, 2A.77, 2A.78, 2A.79, 2A.80, 2A.81, 2A.90, 2A.91, 2A.92, 2A.93, 2A.94, 2A.95 and 2A.96, codify Sections 2.203, 2.203-3, 3.402, 3.502, 3.529, 3.531, 3.535, 3.537, 3.538, 3.539, 3.540, 3.541, 3.542, 3.543, 3.544, 3.545 and 3.546 of the 1932 Charter, respectively, and make necessary changes to conform to the 1996 Charter; adding Section 2A.76 relating to the creation of new ranks in the Police Department; and repealing former Charter Section 3.301, relating to the powers of the Controller;

former Charter Section 3.523 relating to consultants to the Planning Commission and former Charter Section 3.547 relating to removal of structures during a conflagration. Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered on July 23, 1996.

File 097-96-042.

[Affinity Credit Card Program]
Ordinance authorizing the City Administrator to negotiate directly with the San Francisco Convention and Visitors Bureau, without competitive bidding, for the development and operation of the San Francisco Affinity Credit Card Program and implementation thereunder, including the selection by the San Francisco Convention and Visitors Bureau of private companies providing services in connection therewith. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee.

File 186-96-004.

Referred to Board

[Commend Filipino American Arts Exposition]
Resolution commending the Third Annual Filipino American Arts Exposition and declaring August 24th as "Filipino American Arts Exposition Day". Supervisors Teng, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 22, 1996.

File 006-96-105.

[Commend Rex Wong/Margaret Kong]
Resolution congratulating Rex Wong and Margaret Kong on the honorous occasion of their wedding ceremony. Supervisors Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 22, 1996.

File 006-96-106.

[Commend Chang-Lin Tien]
Resolution commending Dr. Chang-Lin Tien, Chancellor of the University of California at Berkeley, on his outstanding leadership and service and wishing him well in his future endeavors. Supervisors Hsieh, Teng, Yaki, Ammiano, Alioto, Brown, Katz, Kaufman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 22, 1996.

File 006-96-107.

[Opposing Senate Bill 1695]
Resolution opposing Senate Bill 1695, Family Day Care Bill. Called from Government Efficiency/Labor Committee by Supervisor Teng, with direction to schedule for Board meeting of July 22, 1996.

File 012-96-025.

[Gift Acceptance]
Resolution authorizing the Director of Public Health to accept on behalf of the City a generous gift of services from the San Francisco Foundation to make the logistical arrangements for the City's Health Summit. Supervisors Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 22, 1996.

File 038-96-012.

[Health Maintenance Organizations]
Resolution urging health maintenance organizations who enroll members in the City and County of San Francisco to recognize and reimburse health care providers for the higher costs associated with the treatment of HIV disease and AIDS. Supervisors Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 22, 1996.

File 078-96-003.

Referred to Committee

[Barbary Coast Trail]
Resolution designating 3.8 miles of public rights of way between the old Mint at Fifth and Mission Streets and Aquatic Park as eligible for installation of commemorative plaques, pursuant to Public Works Code Section 789.2(a), in order to identify points of interest along the historic trail to be known as the Barbary Coast Trail. Supervisors Kaufman, Alioto presented. Referred to Housing and Land Use Committee.

File 200-96-007.

Requests for Hearings:

[Bus Shelter]
Hearing to consider feasibility of installing a bus shelter at 225 30th Street. Supervisor Ammiano presented. Referred to Housing and Land Use Committee.

File 007-96-003.

[Diesel Bus Idling]
Hearing to consider the practice by Municipal Railway of allowing diesel buses to idle for up to four hours and the impact it has on the environment. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 007-96-004.

[Federal Immigration Legislation]
Hearing to consider status of federal legislation regarding requirements for local governments to verify and report immigration status and restriction of immigrants' access to government programs, including social services, health services and education and assessing the City and County's response to and implementation of any such new provisions. Supervisor Teng presented. Referred to Economic Vitality/Social Policy Committee.

File 013-96-030.

[Crane Safety]
Hearing to consider crane safety in the City and County of San Francisco. Supervisor Katz presented. Referred to Housing and Land Use Committee.

File 114-96-002.

[Municipal Railway Management Audit]
Hearing to consider the July 1996 management audit of the Municipal Railway. Supervisors Hsieh, Alioto presented. Referred to Budget Committee.

File 165-96-004.

[Labor Issues]
Hearing to consider employment discrimination at NORCAL. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 176-96-004.

[Traffic Light, 30th and Dolores Streets]
Hearing to consider the feasibility of installing a traffic light at 30th and Dolores Streets. Supervisor Ammiano presented. Referred to Housing and Land Use Committee.

File 190-96-004.

[Bufano Statue]
Hearing to consider urging the Arts Commission to find a more suitable placement for the Bufano statue, "Peace; Mother of All Nations" being relocated from the San Francisco International Airport. Supervisors Ammiano, Bierman, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 197-96-003.

[Bayview Opera House]
Hearing to consider problems performing artists have had in gaining access to the Bayview Opera House and Ruth Williams Memorial Theater. Supervisor Alioto presented. Referred to Government Efficiency/Labor Committee.

File 197-96-004.

[Mansions Hotel]
Hearing to consider the closure of the Mansions Hotel. Supervisors Alioto, Kaufman presented. Referred to Health/Public Safety/Environment Committee.

File 259-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-96-009. [Airport Lease Modification, FAA] Ordinance approving modification of lease number DFTA08-95-L-14707 between Federal Aviation Administration and City and County of San Francisco, acting by and through its Airports Commission. (Also see File 27-96-1). (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 034-96-007. [Changing Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1527 changing the official sidewalk widths on Church Street between 24th and Jersey Street, on Church Street between 24th Street and Elizabeth Street, on 24th at Church Street, on Church Street between 29th Street and Day Street, on Day Street at Church Street, on Church Street between Day Street and 30th Street, on Taraval Street and 22nd Avenue, on 22nd Avenue between Santiago Street and Taraval Street, on Ocean Avenue and Ashton Avenue, and on San Jose Avenue north of Seneca Avenue, collectively known as MUNI Keystop Phase "C", and a shown on the Department of Public Works drawings labeled Q-20-446, Q-20-447, Q-20-449 through Q-20-456, inclusive and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 097-96-040. [Department of Human Services Membership] Ordinance amending Administrative Code Section 16.6-11 relating to Department of ((Social Services)) to Human Services membership in the Child Welfare League of America. (Department of Human Services) Referred to Budget Committee.

Resolutions Referred to Committee

File 010-96-005. [Encroachment Permit, Brotherhood Way] Resolution granting revocable permission to the San Francisco Art Commission to relocate a sculpture by Benjamin Bufano entitled "Peace" from its current location at San Francisco International Airport to a site within the landscaped street right-of-way on the northerly side of Brotherhood Way and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 030-95-011.02. [Patient Rates] Resolution fixing patient rates for services furnished by City and County health care institutions; authorizing retroactively the effective date of July 1, 1996; and rescinding Resolution No. 620-95. (Department of Public Health) Referred to Budget Committee.

File 038-96-011. [Gift Acceptance, DPH-Laguna Honda Hospital] Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to accept and expend a gift of cash and shares of stock in the value of up to $80,565.35 bequeathed to Laguna Honda Hospital through the Last Will and Testament of Ermeth M. Dirovizza, to be expended for "the specific use of patients' activities on holidays". (Department of Public Health) Referred to Government Efficiency/Labor Committee

File 040-96-017. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-018. [Residential Parking Area "U", South of Market] Resolution amending the boundaries of Residential Permit Parking Area "U" in the South of Market Area. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-019. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-96-021. [Settlement of Claim, Alex Konstantinoff] Resolution approving the settlement of the unlitigated claim of Alex Konstantinoff by payment of $13,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 172-96-023. [Medical Services Contract] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, with the regents of the University of California, for the provision of medical services to Medi-Cal beneficiaries by Community Public Health Services clinic physicians. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 188-96-001.01. [Water Dept. Bernal Heights Statute of Limitations] Resolution authorizing City Attorney to negotiate and enter into agreement with Alameda County and the City of Pleasanton to extend the statute of limitations for lawsuit, if any, related to land use entitlements for the San Francisco Water Department's Bernal property. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that City Attorney prepare ordinance indicating that money obtained from the sale of Public Utilities Commission land parcels will be used to buy watershed property if the parcels are sold to another public entity or for public use.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Mary Jane Conner (Supervisor Bierman)
Melvin Belli (By the entire Board)
Herman Koenig (Supervisor Katz)

File 2-96-29

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:09 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters

Approved by the Board of Supervisors on August 12, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, July 22, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 30

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 22, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:22 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Katz - 1.

Quorum present.

Supervisor Katz was noted present at 2:24 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Kaufman, moved that the Journal of Proceedings for Monday, June 10, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Suspension of the Rules
Presentation Made

Supervisor Alioto, seconded by Supervisor Yaki, moved to suspend the rules for the purpose of presenting a Certificate of Honor.

No objection and motion carried.

Supervisor Alioto introduced, welcomed and presented a Certificate of Honor to Ben Carlson for his participation in the International AIDS Candlelight Memorial.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Annual Appropriation Ordinance, Fiscal Year 1996-97]
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1997. (Mayor)

File 101-96-2, Ordinance No. 297-96

(Fiscal Impact.)

Finally passed.

[Annual Salary Ordinance Fiscal Year 1996-97]
An ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1997, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or

continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Department of Human Resources)

File 102-96-2, Ordinance No. 298-96

Finally passed.

[Possessory Interest Taxes]
Ordinance amending Administrative Code, to provide that all agreements for private use of city property include an acknowledgment of the private party's potential liability for possessory interest taxes unless the Board of Supervisors specifically authorizes and approves the city's assumption of any such liability and relating to reports to the Assessor. (Supervisors Ammiano, Teng)

File 97-96-11.1, Ordinance No. 304-96

(Adds Sections 6.63-1, 6.63-2 and Amends Chapter 23 to refer to these new sections.)

Finally passed.

[Environmental Review Fees]
Ordinance amending Administrative Code, to extend the September 30, 1996 Sunset Clause to September 30, 1997, and adjust fees currently charged for Environmental Review actions, activities and procedures. (Planning Department)

File 97-96-32, Ordinance No. 305-96

(Fiscal Impact.)

(Amends Section 31.46A.)

(Exemption from environmental review per Public Resources Code Sec. 21080(b)(8).)

Finally passed.

[Planning Fees]
Ordinance amending City Planning Code, to extend the September 30, 1996 Sunset Clause to September 30, 1997, impose new fees and adjust fees currently charged for Department of City Planning actions, activities, and services; companion measure to File 97-96-32. (Planning Department)

File 115-96-6, Ordinance No. 308-96

(Fiscal Impact.)

(Amends Sections 350 et seq.)

(City Planning Commission Resolution No. 14114.)

Finally passed.

[Tax Collector - Administrative Fees]
Ordinance amending Administrative Code, establishing fees for the administrative costs of the Tax Collector to process documents relating to tax bills. (Supervisor Hsieh)

File 97-96-39, Ordinance No. 307-96

(Adds Section 8.34-1.)

Finally passed.

[Parking Revenue Fund]
Ordinance amending Traffic Code, to provide for the deposit of $7,600,000 in parking meter revenue into the General Fund relating to use of monies in parking meter revenue account concerning general fund amount, for fiscal year 1996-97, if available. (Supervisor Hsieh)

File 124-96-5, Ordinance No. 309-96

(Amends Section 213.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Shaffer v. CCSF]
Ordinance authorizing settlement of litigation of Shaffer v. City and County and the City's sale of Assessor's Block 4093, Lot 92. (City Attorney)

File 45-96-37, Ordinance No. 299-96

(Superior Court No. 881-639.)

Finally passed.

[Scott Maynard v. CCSF et al.]
Ordinance authorizing settlement of litigation of Scott Maynard against the City and County by payment of $262,500. (City Attorney)

File 45-96-38, Ordinance No. 300-96

(U.S. District Court Case No. C-95-04506 WHO.)

Finally passed.

[Settlement of Union Grievance]
Ordinance authorizing settlement of the union grievance filed by SEIU, Local 790 on behalf of Carolyn Jeffrey regarding her termination from the Department of Public Health - General Hospital, by payment of $14,217.33. (City Attorney)

File 45-96-39, Ordinance No. 301-96

Finally passed.

[CCSF v. Donna E. Shalala]
Ordinance authorizing settlement of litigation of City and County against Donna E. Shalala, Secretary of Health and Human Services, for additional Medicare reimbursement. (City Attorney)

File 46-96-9, Ordinance No. 302-96

(U.S. District Court Case No. C95-4150 MHP.)

Finally passed.

[MOU, Local 3, Amendment No. 1]
Ordinance amending Ordinance No. 176-96 to correct clerical errors by adopting and implementing the provision of Amendment Number 1 to the Memorandum of Understanding between the Operating Engineers, Local 3 bargaining for Supervising Probation Officers and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-96-18.1, Ordinance No. 303-96

Finally passed.

[Colorado Product Ban Repeal]
Ordinance amending Administrative Code, to remove restrictions prohibiting the City from purchasing any commodity manufactured or produced in the State of Colorado. (Supervisors Ammiano, Alioto, Bierman)

File 97-96-37, Ordinance No. 306-96

(Repeals Article XXI, Sections 10.240 through 10.247.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

[Special Election]
Ordinance calling and providing for a Special Election to be held in the City and County of San Francisco on Tuesday, November 5, 1996, for the purpose of submitting to the voters of the City and County of San Francisco propositions to incur the following bonded debts of the City and County: (1) $73,300,000 for the acquisition, construction and/or reconstruction of a new museum facility to replace the De Young Museum; and (2) $100,000,000 for the financing of the low-income housing and down-payment assistance to low and moderate first-time homebuyers; and that the estimated cost of said projects is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated costs of such projects; fixing the date of election and the manner of holding such election and the procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. (Supervisors Shelley, Leal, Alioto, Yaki, Katz, Brown, Teng)

File 60-96-6, Ordinance No. 296-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisors Yaki and Kaufman assumed the Chair at different times during the meeting.

Recess

The Board, at the hour of 5:20 p.m. took a brief recess.

Reconvening of the Board

The Board, at the hour of 6:07 p.m. reconvened.

Calling the Roll

On call of the roll the following Supervisors were noted presented:

Supervisors Alioto, Ammiano, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 9.

Noted absent:

Supervisors Bierman, Yaki - 2.

Supervisor Bierman was noted present at 6:10 p.m.

Recommendation of Rules Committee

Consideration Continued as Amended

[Charter, Collective Bargaining]
((Charter amendment (Fourth Draft) amending the charter by amending Sections 10.100, 10.101, A8.405, A8.409 through A8.409-6, and A8.590-1 through A8.590-7, amending Sections A8.343, A8.403, A8.404 and 11.100, and adding Sections 10.106, 11.100(a), 11.102, 11.103 and 11.104, concerning compensation of elected officials, collective bargaining and civil service reform.)) (Supervisors Shelley, Bierman)

Charter amendment (Fifth Draft) amending the charter concerning collective bargaining relating to retirement and health benefits; abolishing and creating the Civil Service and Employee Relations Commission; and making managerial employees at-will, exempt positions with exceptions (deletes Section 10.100; amends Sections A8.343, A8.403, A8.404, A8.409-1, A8.409-3, A8.409-4, A8.409-5, A8.590-4, A8.590-5, A8.590-6, A8.590-7, 11.100; adds Sections 11.103, 11.104).

File 252-96-1

(July 15, 1996 - Consideration continued to July 22, 1996.)

Supervisor Shelley, seconded by Supervisor Teng, moved an Amendment of the Whole entitled, "Charter amendment (Fifth Draft) amending the charter concerning collective bargaining relating to retirement and health benefits; abolishing and creating the Civil Service and Employee Relations Commission; and making managerial employees at-will, exempt positions with exceptions (deletes Section 10.100; amends Sections A8.343, A8.403, A8.404, A8.409-1, A8.409-3, A8.409-4, A8.409-5, A8.590-4, A8.590-5, A8.590-6, A8.590-7, 11.100; adds Sections 11.103, 11.104)."

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

Supervisor Kaufman, seconded by Supervisor Ammiano, moved to continue consideration as amended to Committee of the Whole July 29, 1996, at 3:00 p.m.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

Request Granted

Supervisor Leal requested City Attorney to provide analysis on the Fifth Draft.

Clerk directed to notify Director of Health Service System and Executive Director, Retirement System, of request that they appear July 29, 1996 to comment on the proposed charter amendment which would allow different employee groups to pull out of the City's Health Service System and Retirement System's plans and create their own programs.

From Rules Committee Without Recommendation

Ordered Submitted

[Charter, District Election]
Charter amendment (Third Draft) amending Sections 2.100, 2.116, 13.101, 13.102, 14.103 and adds Section 13.110 governing composition of the Board of Supervisors and selection of the President of the Board; governing terms of elective office, municipal runoff elections and recall of elective officers; to provide for the election of 11 supervisors from 11 districts and setting effective date of January 1, 2000. (Supervisor Ammiano)

File 251-96-1

(July 15, 1996 - Consideration continued to July 22, 1996.)

Third Draft ordered submitted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Katz, Shelley, Yaki - 7.

Noes: Supervisors Brown, Kaufman, Leal, Teng - 4.

[Charter, At-large Election, Preference Voting]
Charter amendment (Third Draft) amending Sections 2.100 and 2.116 governing composition of the Board of Supervisors and selection of the President of the Board and adding Sections 13.110 and 13.111 to provide for at-large election of 11 supervisors, using preference voting and setting effective date of January 1, 2000. (Supervisor Ammiano)

File 250-96-1

(July 15, 1996 - Consideration continued to July 22, 1996.)

Third Draft ordered submitted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Noes: Supervisor Bierman - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Works]
Ordinance appropriating $57,902,290, Department of Public Works, of 1996A City Hall Improvement Bond Fund proceeds for design and construction of non-seismic improvements at City Hall, for fiscal year 1995-96, placing a reserve of $43,524,203. (Controller)

File 101-95-71, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Memberships - Board of Supervisors]
Ordinance amending Administrative Code, to add to the list of organizations in which the Board of Supervisors provides representation for the City and County, the Urban Counties Caucus.

File 97-96-31, Ordinance No.

(Amends Section 16.6-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

Adopted

[Transfer to General Fund]
Resolution concurring with the Public Utilities Commission's fact finding that a fund surplus of $30,165,393 exists in the utilities which can be transferred to the General Fund. (Public Utilities Commission)

File 100-96-5, Resolution No. 671-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Yaki - 9.

Absent: Supervisors Shelley, Teng - 2.

Recommendations of Rules Committee

Adopted

[Appointments, Advisory Council to Commission on the Aging]
Resolution appointing members to the Advisory Council to the Commission on the Aging, terms expired, for new two-year terms ending March 31, 1997. (Rules Committee)

File 92-95-41.2, Resolution No. 660-96

(Wende Chan, vice Gerrie Pearlin, Seat No. 20309;
Arthur Hurwith, vice himself, Seat No. 20311.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Appointments, City-Wide Alcoholism Advisory Board]
Resolution appointing members to the City-Wide Alcoholism Advisory Board, for unexpired portion of three-year term ending July 1, 1998; making findings waiving residency requirement. (Rules Committee)

File 92-96-19, Resolution No. 667-96

(Carlos Martinez, vice Linda Hills, Seat No. 20615, professional, research or personal interest in alcoholism, resigned;
Leon Winston, vice Otis Turner, Seat No. 20606, professional, research or personal interest in alcoholism, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Appointments, City-Wide Alcoholism Advisory Board]
Resolution appointing members to the City-Wide Alcoholism Advisory Board, terms expired, for new three-year terms ending July 1, 1999. (Rules Committee)

File 92-96-22, Resolution No. 668-96

(Donovan Barks, vice Philip Zamora, Seat No. 20601, professional, research, or personal interest in alcoholism;
Heather Bostian, vice herself, Seat No. 20602, professional, research or personal interest in alcoholism.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Appointment, San Francisco Environment Commission]
Resolution appointing member to the San Francisco Environment Commission, for three-year term ending May 12, 1998. (Rules Committee)

File 92-96-38.2, Resolution No. 669-96

(Ximena Delgado, vice Loren Rosemond, Seat No. 26501, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Appointment, Lead Hazard, Citizens Advisory Committee]
Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Commission, for four-year term ending December 22, 1999; making findings waiving residency requirement. (Rules Committee)

File 92-96-39.1, Resolution No. 670-96

(Catherine Drayton, vice Marc Delaney, Seat No. 26706, Mayor's Office of Housing, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Appointment, Planning Commission]
Motion approving Mayor's appointment of Dennis Antenore to serve as member of the San Francisco Planning Commission. (Rules Committee)

File 33-96-6

(July 5, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Appointment, Public Utilities Commission]
Motion approving Mayor's appointment of Frank Cook to serve as member of the San Francisco Public Utilities Commission. (Rules Committee)

File 33-96-7

(July 5, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Appointment, Director of Human Resources]
Motion approving Mayor's appointment of Andrea Gourdine to serve as Director of the San Francisco Department of Human Resources. (Rules Committee)

File 33-96-8

(July 5, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Executive Branch Reorganization]
Motion approving Mayor's Plan, dated July 1, 1996, as amended July 15, 1996, to reorganize departments within the Executive Branch. (Clerk of the Board)

File 88-96-1

(July 2, 1996 - Notice received from Mayor. Pursuant to Charter Section 4.132, such reorganization shall become effective 30 days after its issuance unless disapproved by the Board of Supervisors during that time.)

(Telecommunications and Information Services; Administrative Services; Business and Economic Development; Clean Water Programs.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

Recommendation of Select Committee on Base Closures

Adopted

[Treasure Island Reuse Plan]
Resolution authorizing and endorsing the submittal to the Federal Government a proposed draft reuse plan for the conversion of Naval Station Treasure Island, including a proposed conveyance plan and homeless assistance submission, as the preferred alternative for the purposes of initiating environmental analysis and meeting the requirements of federal base closure laws. (Mayor Brown, Supervisor Shelley)

File 244-96-7, Resolution No. 672-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c). (Supervisors Leal, Katz)

Supervisor Leal, seconded by Supervisor Katz, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Bierman, Shelley - 2.

Recess

The Board recessed at the hour of 3:45 p.m. to convene in closed session.

Calling the Roll

The following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng - 8.

Noted absent:

Supervisors Alioto, Shelley, Yaki - 3.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations.

Supervisor Kaufman, seconded by Supervisor Alioto, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Bierman, Shelley - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ernestine Weiss, port garage, collective bargaining;
Leonard Brackett, housing;
Alexandra Apley, Innovative Housing;
Sara Murphy, Innovative Housing;
David Miles, Friday Night Skate;
Ian John Carisi, Friday Night Skate;
Male speaker, HUD ombudsman;
Paul Pillitteri, Friday Night Skate;
Howard Cohen, Friday Night Skate;
Leboriae P. Smoore, police brutality, constitution for the poor;
Art Howard, Friday Night Skate;
Chris Duderstadt, Friday Night Skate;
Male speaker, oppose Friday Night Skate;
Wendy, police harassment;

Zane Blaney, video cameras operating in Room 404;
Louise Vaughn, Innovative Housing, public housing;
Constance Kuruppu, Innovative Housing;
Al Rose;
Female speaker, Friday Night Skate.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Called from Government Efficiency/Labor Committee
by Supervisor Teng

Adopted as Amended

[Opposing Senate Bill 1695]
((Resolution opposing Senate Bill 1695, Family Day Care Bill.)) (Supervisors Teng, Bierman, Ammiano, Alioto, Leal)

Resolution opposing Senate Bill 1695, Family Day Care Bill, to be voted upon August 8, 1996 at the California Assembly.

File 12-96-25, Resolution No. 664-96

Supervisor Teng, seconded by Supervisor Ammiano, moved to amend title, and page two, line 18, by deleting "which will be heard before the Senate Health and Human Services committee on May 8, 1996" and insert "to be voted upon August 8, 1996 at the California Assembly".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Alioto, Shelley, Yaki - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Alioto, Shelley, Yaki - 3.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Commend Rex Wong/Margaret Kong]
Resolution congratulating Rex Wong and Margaret Kong on the honorous occasion of their wedding ceremony and proclaiming July 25, 1996 as "Walter and Dianne Wong Day". (Supervisors Ammiano, Alioto, Bierman, Kaufman, Hsieh, Katz, Brown, Teng, Yaki, Leal)

File 6-96-106, Resolution No. 661-96

(July 15, 1996 - Introduced in Board for consideration on July 22, 1996.)

Supervisor Teng, seconded by Supervisor Leal, moved an Amendment of the Whole, entitled: "Resolution congratulating Rex Wong and Margaret Kong on the honorous occasion of their wedding ceremony and proclaiming July 28, 1996 as Walter and Dianna Wong Day."

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Alioto, Shelley, Yaki - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Alioto, Shelley, Yaki - 3.

In connection with the above item, Supervisors Kaufman, Hsieh, Katz, Brown, Teng, Yaki, Leal requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Filipino American Arts Exposition]
Resolution commending the Third Annual Filipino American Arts Exposition and declaring August 24th as "Filipino American Arts Exposition Day". (Supervisors Teng, Alioto, Shelley, Bierman, Katz, Kaufman, Leal, Yaki)

File 6-96-105, Resolution No. 673-96

(July 15, 1996 - Introduced in Board for consideration on July 22, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Yaki requested to be added as co-sponsors.

[Commend Chang-Lin Tien]
Resolution commending Dr. Chang-Lin Tien, Chancellor of the University of California at Berkeley, on his outstanding leadership and service and wishing him well in his future endeavors. (Supervisors Hsieh, Teng, Yaki, Ammiano, Alioto, Brown, Katz, Kaufman, Shelley, Bierman, Leal)

File 6-96-107, Resolution No. 662-96

(July 15, 1996 - Introduced in Board for consideration on July 22, 1996.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Gift Acceptance]
Resolution authorizing the Director of Public Health to accept on behalf of the City a generous gift of services from the San Francisco Foundation to make the logistical arrangements for the City's Health Summit. (Supervisors Bierman, Alioto)

File 38-96-12, Resolution No. 665-96

(July 15, 1996 - Introduced in Board for consideration on July 22, 1996.)

Adopted.

[Health Maintenance Organizations]
Resolution urging health maintenance organizations who enroll members in the City and County of San Francisco to recognize and reimburse health care providers for the higher costs associated with the treatment of HIV disease and AIDS. (Supervisors Ammiano, Alioto, Bierman, Katz, Kaufman, Leal, Yaki)

File 78-96-3, Resolution No. 666-96

(July 15, 1996 - Introduced in Board for consideration on July 22, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Yaki requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Alioto, Shelley, Yaki - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Alioto, Shelley, Yaki - 3.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Alioto, Shelley, Yaki - 3.

[Imperative Resolutions]

Adopted

[Commend Ben Carlson]
Resolution commending Ben Carlson for his outstanding contributions in the fight against the AIDS pandemic; and declaring Monday, July 22, 1996 as Ben Carlson Day in San Francisco.

File 006-96-108, Resolution No. 663-96

Supervisors Alioto, Ammiano, Teng, Kaufman, Leal, Bierman, Katz, Hsieh, Yaki, Brown, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Alioto, Shelley, Yaki - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Campaign Consultant Regulation]
Ordinance amending Administrative Code by adding Sections 16.540 through 16.547 to require registration of and quarterly reporting by campaign consultants; prohibits campaign consultants from lobbying current and former clients who are local officeholders; and establish a voluntarily code of conduct for campaign consultants. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 097-96-044.

Monday, July 22, 1996

Referred to Board

[Commend Community Board Program]
Resolution recognizing the contributions of the Community Board Program and commending the Program on achieving its 20th year of continuous service to the people of the City and County of San Francisco. Supervisors Leal, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 29, 1996.

File 006-96-109.

[Commend Chinese Christian Union]
Resolution commending the Chinese Christian Union on their 80th Anniversary and declaring September 15, 1996 as "Chinese Christian Union Day". Supervisors Teng, Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar July 29, 1996.

File 006-96-110.

[Commend Greater Geary Merchants Association]
Resolution commending the Greater Geary Boulevard Merchants and Property Owners Association, Inc. on the occasion of its 50th Anniversary. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 29, 1996.

File 006-96-111.

[Commend Officer Samuel W. Watt]
Resolution commending Officer Samuel (Sam) W. Watt for his thirty-one years of public service. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar July 29, 1996.

File 006-96-112.

[Homeowners Earthquake Insurance]
Resolution urging the California State Legislature, the Insurance Commission, and the Governor to establish a California Earthquake Authority to operate on behalf of all residents of California; to offer equitable earthquake coverage to homeowners in Northern California and to offer an equitable rating structure for earthquake insurance. Supervisors Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 29, 1996.

File 012-96-039.

[Top Brackets Initiative, Proposition 217]
Resolution expressing the support of the San Francisco Board of Supervisors for the passage of Proposition 217 (Top Brackets Initiative). Supervisors Bierman, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar July 29, 1996.

File 060-96-007.

Referred to Committee

[Grant, Federal Funds]
Resolution authorizing the Mayor retroactively to apply for a grant for lead-based paint hazard reduction program from the U.S. Department of Housing and Urban Development for a total amount not to exceed six million dollars ($6,000,000) for a program authorized under the Department of Housing and Urban Development, and the Omnibus Consolidated Rescissions and Appropriation Act of 1996, Public Law Number 104-134; and including $60,000 of indirect costs associated with the acceptance of these grant funds. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 068-96-005.

Referred to Board

[Metropolitan Transportation Commission]
Resolution consenting to have Supervisor Tom Hsieh complete the remainder of his term as the Board's representative to the Metropolitan Transportation Commission. Supervisors Bierman, Kaufman, Leal, Ammiano, Yaki, Katz, Teng, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar July 29, 1996.

File 092-96-040.

Referred to Committee

[Janitors, Local 87]
Resolution urging the San Francisco Building Owners and Managers Association and the San Francisco Contractors Association to bargain in good faith in order to resolve their dispute with the SEIU Local 87 janitors and to avert a citywide strike in San Francisco. Supervisors Ammiano, Bierman, Yaki, Teng, Brown, Alioto, Leal, Katz, Shelley presented. Referred to Government Efficiency/Labor Committee.

File 176-96-005.

[Community Board Program]
Resolution urging the Mayor and all City Department Heads to review all city programs and to make all appropriate referrals to the Community Board Program for the provision of low-cost, culturally sensitive alternative dispute resolution services. Supervisor Leal presented. Referred to Government Efficiency/Labor Committee.

File 260-96-001.

[Power Outage]
Resolution urging Pacific Gas and Electric to launch a thorough investigation into the chronic power outages affecting the South of Market neighborhood. Supervisors Ammiano, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 262-96-001.

[General Plan Amendment]
Resolution urging the Planning Commission to amend the General Plan (formerly, San Francisco Master Plan) Objective 18, Vehicle Circulation, Policy 18.5 to discourage non-recreational and non-local traffic in and around parks and along the shoreline recreation areas. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 271-96-001.

Requests for Hearings:

[Medical Centers]
Hearing to consider the proposed merger of University of California San Francisco and Stanford University's Medical Centers to discuss the potential impacts on the environment, health care, employment and other related issues on San Francisco's residents and its government. Supervisors Bierman, Shelley presented. Referred to Housing and Land Use Committee with request it be considered on September 5, 1996.

File 261-96-001.

[Public Safety]
Hearing to consider public safety issues in and around the Western Addition area. Supervisor Brown presented. Referred to Health/Public Safety/Environment Committee.

File 207-96-007.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar July 29, 1996.

File 030-96-001.14.

[Off-site Committee Meeting]
Motion ordering the September 1996 meeting of the Economic Vitality and Social Policy Committee to be held on September 10, 1996 at 5:30 p.m., at the Everett Middle School, 450 Church Street. Supervisors Teng, Katz, Brown presented. Referred to Rules Committee.

File 054-96-006.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-040. [Jenice Cole v. CCSF, et al.] Ordinance authorizing settlement of litigation of Jenice Cole against the City and County of San Francisco by payment of $12,000. (Municipal Court No. 114-424). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-041. [Edward Everett-Ronning v. CCSF, et al.] Ordinance authorizing settlement of litigation of Edward Everett-Ronning against the City and County of San Francisco by payment of $30,000. (Superior Court No. 965789). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-042. [Tracy Bridgewater v. CCSF, et al.] Ordinance authorizing settlement of litigation of Tracy Bridgewater against the City and County of San Francisco by payment of $18,000. (Superior Court No. 971-635). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-043. [Gary Sargent v. CCSF, et al.] Ordinance authorizing settlement of litigation of Gary Sargent against the City and County of San Francisco by payment of $20,000. (U.S. District Court No. C94-3551). (City Attorney) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 010-96-006. [Encroachment Permit, Hayes Street] Resolution granting revocable permission to the San Francisco Opera Association to temporarily close and occupy the northerly sidewalk and a portion of the street area on Hayes Street, between Polk and Larkin Streets, for the purpose of constructing a loading dock and for loading and unloading operations for the Opera's Productions at Bill Graham Civic Auditorium (Block 812, Lot 1). (Department of Public Works) Referred to Housing and Land Use Committee.

File 027-96-010. [State Grant, CalTrain-SFO Shuttle Service] Resolution authorizing the Airports Commission to seek, accept and expend funds for a CalTrain-SFO Shuttle from the Bay Area Air Quality Management District under AB 434 Funds, Clean Air Act Legislation, for the 1997 service year; waiving indirect costs. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 027-96-011. [Federal Grant - Airport] Resolution authorizing Airports Commission to file application, and accept and expend grant of $9,892,664 from Federal Aviation Administration for assistance in improvements at the Airport (Airport Improvement Project No. 96-01). (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 038-96-013. [Gift Acceptance, Police Department] Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of two TRAK (Technology to Recover Abducted Kids) computer systems from Social Tech, Inc. (Police Department) Referred to Government Efficiency/Labor Committee.

File 038-96-014. [Gift Acceptance, Recreation and Park] Resolution accepting one gift valued at $7,045.33, for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 048-96-022. [Settlement of Claim, Michael James Kutsko] Resolution approving the settlement of the unlitigated claim of Michael James Kutsko by payment of $6,500.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-023. [Settlement of Claim, Carlos Moncaleano] Resolution approving the settlement of the unlitigated claim of Carlos Moncaleano by payment of $13,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-015. [Lease of Property at Fox Plaza, 1390 Market St.] Resolution authorizing lease at Fox Plaza, 1390 Market Street, for the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 089-96-006. [SDI Coverage, Classification 9258] Resolution authorizing enrollment of classification(s) 9258 Assistant Deputy Director, Business and Finance in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 146-96-012. [State Grant, Oil Spill Prevention] Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to apply for, accept and expend retroactively a grant of $5,000, which includes indirect costs in the amount of $699, based on twenty-two percent of salaries, from the California Department of Fish & Game, Office of Oil Spill Prevention and Response, for providing input into the San Francisco Bay/San Joaquin Delta Area contingency plan for oil spills; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that City Attorney draft ordinance which would give businesses seeking to rent/lease or businesses which currently rent/lease property from the Port of San Francisco, additional incentives for selling items manufactured in San Francisco, such as clothing, food products and other goods.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Raymond L. Hanson (Supervisor Hsieh)
Melissa Toben (Supervisors Katz, Leal)
George C. Scott (Supervisor Brown)

File 2-96-30

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:32 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 19, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, July 29, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91 Number 31

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 29, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 8.

Noted absent at first roll call:

Supervisors Alioto, Brown, Hsieh - 3.

Quorum present.

Supervisor Alioto excused (see Journal of Proceedings of April 8, 1996).

Supervisor Brown was noted present at 2:15 p.m.

Supervisor Hsieh excused (see Journal of Proceedings of August 5, 1996).

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Kaufman, moved that the Journal of Proceedings for Monday, June 17, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Brown, Hsieh - 3.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Works]
Ordinance appropriating $57,902,290, Department of Public Works, of 1996A City Hall Improvement Bond Fund proceeds for design and construction of non-seismic improvements at City Hall, for fiscal year 1995-96, placing a reserve of $43,524,203. (Controller)

File 101-95-71, Ordinance No. 310-96

(Fiscal Impact.)

Finally passed.

[Memberships - Board of Supervisors]
Ordinance amending Administrative Code, to add to the list of organizations in which the Board of Supervisors provides representation for the City and County, the Urban Counties Caucus.

File 97-96-31, Ordinance No. 311-96

(Amends Section 16.6-1.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Prop J Contract, Court Management System]
Resolution concurring with Controller's certification that services of the Court Management System Coordinator can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Municipal Court)

File 25-96-12, Resolution No. 685-96

Adopted.

[Settlement of Claim, Alex Konstantinoff]
Resolution approving the settlement of the unlitigated claim of Alex Konstantinoff by payment of $13,500. (City Attorney)

File 48-96-21, Resolution No. 696-96

Adopted.

[Lease of property, 1390 Market Street/Fox Plaza]
Resolution authorizing a lease at Fox Plaza for the Department of Public Health's Bureau of Environmental Health Management. (Real Estate)

File 64-96-15, Resolution No. 699-96

Adopted.

[SDI Coverage, 2964 Director of Planning and Budget]
Resolution authorizing enrollment of Classification 2964 Director of Planning and Budget in the State Disability Insurance Program. (Department of Human Resources)

File 89-96-4, Resolution No. 700-96

Adopted.

[SDI Coverage, Classification 9254]
Resolution authorizing enrollment of classification(s) 9254 Assistant to the Director, Bureau of Communications in the State Disability Insurance Program. (Department of Human Resources)

File 89-96-5, Resolution No. 701-96

Adopted.

[Federal Grant, Comprehensive Information System]
Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively a grant of $200,000 from the Health Services and Resources Administration (HRSA) for a comprehensive information system for children; providing for ratification of action previously taken. (Supervisor Leal)

File 146-96-11, Resolution No. 703-96

Adopted.

[Grant, Advanced Technology Transit Bus Project]
Resolution authorizing the Public Transportation Commission to apply for, retroactively accept and expend up to $7,000,000 (including local match) of Federal Transit Administration Capital Assistance Section 3 funds to carry out Advanced Technology Transit Bus (ATTB) Demonstration Project activities; placing $7,000,000 on reserve. (Supervisor Leal)

File 213-96-4, Resolution No. 707-96

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersection, Clay and Locust Streets]
Resolution designating Clay Street and Locust Street as an all-way "stop" intersection. (Supervisor Shelley)

File 18-96-9, Resolution No. 681-96

Adopted.

[Stop Intersection, Various Locations]
Resolution designating certain intersections as stop intersections. (Housing and Land Use Committee)

File 18-96-10, Resolution No. 682-96

(Stop Signs - Establish

Eighteenth and Harrison Streets (north), northwest and southeast corners, stopping Harrison Street traffic (makes this T-intersection an all-way stop).

Twenty-Ninth and Castro Streets, northeast and southwest corners, stopping Twenty-Ninth Street traffic (makes this an all-way stop).

Chestnut and Lyon Streets, northeast corner, stopping Chestnut Street traffic (stops the stem of this T-intersection).

Ritch and Brannan Streets, southeast corner, stopping northbound Ritch Street traffic (presently uncontrolled).)

Adopted.

[Parking Regulations, Various Locations]
Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-96-9, Resolution No. 683-96

(Parking Meter Area No. 1 (30-Minute Time Limit, 7 a.m. - 4 p.m., Monday Through Saturday) - Establish
Clay Street, north side, from the east property line of Davis Street to 75 feet easterly (75-foot zone, adds three meter stalls).

Parking Meter Area No. 1 (30-Minute Time Limit, 7 a.m. - 6 p.m., Monday Through Saturday) - Establish
Washington Street, north side, from the west property line of Davis Street to 150 feet easterly (150-foot zone, adds six meter stalls).

One-Hour Parking Time Limit, 7 a.m. - 3 p.m., Monday Through Saturday - Rescind
Two-Hour Parking Time Limit, 7 a.m. - 3 p.m., Monday Through Saturday - Establish
Sixth Street, west side, between Folsom and Harrison Streets (change in time limit only).

One-Hour Parking Time Limit, 7 a.m. - 6 p.m., Monday Through Saturday - Rescind
Two-Hour Parking Time Limit, 7 a.m. - 6 p.m., Monday Through Saturday - Establish
Sixth Street, east side, between Folsom and Harrison Streets (change in time limit only).

Perpendicular (90-Degree Angle) Parking - Establish
Castro Street, east side, between Twenty-Eighth and Valley Streets.

Tow-Away, No Parking, 8 a.m. - 3 p.m., Thursdays and Fridays, Except SFUSD Mobile Classrooms - Rescind
Tow-Away, No Parking, 8 a.m. - 3 p.m., Tuesdays and Wednesdays, except SFUSD Mobile Classrooms - Establish
Treat Avenue, west side, from 245 feet to 277 feet south of Precita Avenue (32-foot zone, change in effective days only).

Note: The following items are part of the improvements for the Bayshore Boulevard and Cesar Chavez Street corridors:

Diagonal (60-Degree Angle) Parking - Establish
Barneveld Avenue, east side, from Jerrold Avenue to 169 feet southerly (169-foot zone accommodating fifteen parking stalls).

Barneveld Avenue, west side, from 203 feet to 235 feet north of McKinnon Street (32-foot zone between driveways accommodating two parking stalls).

Perpendicular (90-Degree Angle) Parking - Establish
Barneveld Avenue, east side, from McKinnon Street to 355 feet northerly (355-foot zone accommodating twenty-two parking stalls).

Barneveld Avenue, west side, from McKinnon Street to 169 feet northerly (169-foot zone accommodating thirteen parking stalls).)

Adopted.

[Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-9, Resolution No. 684-96

(No U-Turns - Establish
Lincoln Way, westbound, at Twentieth Avenue.

Multiple Turn Lanes - Rescind
Right Lane Must Turn Right - Rescind
Folsom Street, eastbound, at First Street.

No Right Turns, 7:30 a.m. - 8:30 a.m. and 2:00 p.m. - 3:30 p.m., School Days - Establish
Webster Street, southbound, at Broadway.

One-Way Street - Rescind
Berry Street, eastbound, between Third and Fourth Streets.

Tow-Away, No Stopping Anytime - Establish
Berry Street, north side, between Third and Fourth Streets.

Berry Street, south side, from Fourth Street to 130 feet westerly (130-foot zone).

Battery Street, east side, from The Embarcadero to 40 feet southerly (40-foot zone).

Tow-Away, No Stopping, 3 p.m. - 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping Anytime - Establish
Front Street, east side, from Market Street to 80 feet northerly (80-foot zone).

Diamond Lane, 7 a.m. - 7 p.m., Everyday - Establish
Stockton Street, west curb lane, between Geary and O'Farrell Streets.

Tow-Away, No Stopping, 4 p.m. - 6 p.m., Monday Through Saturday - Rescind
Tow-Away, No Stopping, 7 a.m. - 7 p.m., Everyday - Establish
Stockton Street, west side, from Geary Street to 142 feet southerly (142-foot zone, change in effective days and hours).

Tow-Away, No Stopping Anytime - Rescind
Clay Street, north side, from the east property line of Davis Street to 75 feet easterly (75-foot zone, adds three meter stalls).

Tow-Away, No Stopping Anytime - Rescind
Washington Street, north side, from the west property line of Davis Street to 150 feet easterly (150-foot zone, adds six meter stalls).

Note: The following items are part of the improvements for the Bayshore Boulevard and Cesar Chavez Street corridors:

Left Lane Must Turn Left - Establish
Bayshore Boulevard, southbound, at turnaround, approximately 450 feet south of Jerrold Avenue.

No Turn on Red - Establish
Bayshore Boulevard, northbound, at Jerrold Avenue.

Jerrold Avenue, westbound, at Bayshore Boulevard.

Right Turn Onto Freeway Only - Establish
Marin Street, westbound, at Bayshore Boulevard.

Tow-Away, No Stopping Anytime - Establish
Bayshore Boulevard, east side, between Jerrold Avenue and Marin Street.

Bayshore Boulevard, east side, from Jerrold Avenue to 510 Feet southerly (510-foot zone).

Diamond Lane, 7 a.m. - 9 a.m. and 3 p.m. - 7 p.m., Monday Through Friday - Establish
Bush Street, south curb lane, between Battery and Montgomery Streets.

Tow-Away, No Stopping, 7 a.m. - 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 7 a.m. - 7 p.m., Monday Through Friday - Establish
Bush Street, north side, between Battery and Montgomery Streets (to extend evening tow-away to 7 p.m.).

Tow-Away, No Stopping, 7 a.m. - 9 a.m. and 3 p.m. - 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 7 a.m. - 9 a.m. and 3 p.m. - 7 p.m., Monday Through Friday - Establish
Bush Street, south side, between Montgomery and Sansome Streets (to extend evening tow-away to 7 p.m.).)

Adopted.

[Residential Parking "O," West Portal/St. Francis]
Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood Area and adding Santiago Street, between Seventeenth and Eighteenth Avenues, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-13, Resolution No. 690-96

Adopted.

[Residential Parking Area "A," Telegraph Hill]
Resolution amending the boundaries of Residential Permit Parking Area "A" in the Telegraph Hill Area by adding Lot 21 of Block 024 (1325 Columbus Avenue). (Department of Parking and Traffic)

File 40-96-14, Resolution No. 691-96

Adopted.

[Residential Parking Area "S," Duboce Triangle]
Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Page Street, between Laguna and Octavia Streets, both sides, and Rose Street, between Laguna and Octavia Streets, north side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-15, Resolution No. 692-96

Adopted.

[Residential Parking Area "I," Bartlett Street]
Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding Capp Street, between Nineteenth and Twentieth Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-16, Resolution No. 693-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Brown, Hsieh - 3.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Patient Rates]
Ordinance amending Health Code, to fix patient rates for services furnished by City and County Institutions, effective retroactively to July 1, 1996, and rescinding Resolution No. 620-95. (Department of Public Health)

File 30-95-11.2, Ordinance No.

(Adds Section 128.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Department of Human Services Membership]
Ordinance amending Administrative Code, relating to Department of Human Services membership adding Child Welfare League of America and deleting California Conference of Social Welfare, and National Conference of Social Work. (Department of Human Services)

File 97-96-40, Ordinance No.

(Amends Section 16.6-11.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Recommendations of Select Committee on Charter Implementation

Passed for Second Reading

[Former Charter Provisions]
Ordinance amending Administrative Code, to make necessary changes to conform to the 1996 Charter; and adding a section relating to the creation of new ranks in the Police Department; add repealing former charter sections relating to the powers of the Controller; relating to consultants to the Planning Commission; relating to removal of structures during a conflagration. (Supervisor Kaufman)

File 97-96-42, Ordinance No.

(Adds Sections 2.6-4, 2.6-5, 2A.70, 2.6-6, 2A.51, 2A.75, 2A.76, 2A.77, 2A.78, 2A.79, 2A.80, 2A.81, 2A.90, 2A.91, 2A.92, 2A.93, 2A.94, 2A.95 and 2A.96, to codify Sections 2.203, 2.203-3, 3.402, 3.502, 3.529, 3.531, 3.533, 3.534, 3.535, 3.537, 3.538, 3.539, 3.540, 3.541, 3.542, 3.543, 3.544, 3.545 and 3.546 of the 1932 Charter;

Repeals former Charter Sections 3.301, 3.523, 3.547.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[1996 Charter Changes to Administrative Code]
Ordinance amending Administrative Code, relating to functions and duties of the Chief Administrative Officer, to conform to the provisions of the Charter of 1996. (Select Committee on Charter Implementation)

File 97-96-19.3, Ordinance No.

(Amends Sections 5.40, 5.60 and 11.32.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Charter Implementation Planning Code]
Ordinance amending Planning Code, to make the new names of the General Plan, Planning Department, Planning Commission and Board of Appeals applicable to the Planning Code, to implement the Charter and provide procedures for General Plan amendments, to make the Planning Code consistent with the Charter and clarify procedures and changing the time period for an appeal to a written determination of the Zoning Administrator from ten days to fifteen days as provided in the Administrative Code. (Planning Department)

File 115-96-7, Ordinance No.

(Adds Sections 108, 340;
Amends Sections 302, 306, 306.1, 306.2, 306.3, 306.4, 306.5, 308.1 and 308.2.)

(City Planning Resolution No. 14138, adopted 6/13/96). (Exempt Status: General Rule Exclusion (State Guidelines, Section 15061(b)(3).)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Compensation, Arbitrator's Award]
Ordinance amending Ordinance No. 316-94 to implement the provisions of the arbitrator's award amending the Memorandum of Understanding between the Building Inspectors Association and the City and County to be effective July 1, 1996 through June 30, 1997. (Supervisors Shelley, Bierman)

File 93-94-17.5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Amendment to MOU, Local 856]
Ordinance amending Ordinance No. 21-96 to implement the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856, and the City and County of San Francisco for Bargaining Unit 11B, Supervising Registered Nurses, effective July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-95-52.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Airport Lease Modification, USAir, Inc.]
Ordinance approving retroactively, Modification No. 8 to Lease and Use Agreement between USAir, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Termination of Lease, Continental Airlines]
Ordinance approving early termination of Lease Nos. PUC 21391 and 21968 between Continental Airlines, Inc. and the City and County, acting by and through its Airports Commission; providing for ratification of action previously taken. (Airports Commission)

File 27-96-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Pest Detection and Trapping]
Ordinance amending Administrative Code, to authorize the President of the Board of Supervisors or the President's designee to execute an annual contract between the City and County and the California Department of Food and Agriculture for exotic pest detection and trapping. (Department of Agriculture and Weights and Measures)

File 97-96-38, Ordinance No.

(Adds Section 1.13-9.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Retirement]
Ordinance authorizing amendment to the contract between the City and County and the Board of Administration of the California Public Employees' Retirement System, to transfer prior service for safety members in the Adult and Juvenile Probation Departments who elected prospective membership on September 1, 1990. (Supervisors Yaki, Bierman)

File 154-96-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Adopted

[Prop J Contract, Intake/Shelter Services]
Resolution concurring retroactively, with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department)

File 25-96-14, Resolution No. 686-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Prop J Contract, Security Guard Services]
Resolution concurring retroactively with the Controller's certification that security services can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Purchasing Department)

File 25-96-15, Resolution No. 687-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Gift Acceptance, DPH-Laguna Honda Hospital]
Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to accept and expend a gift of cash and shares of stock in the value of up to $80,565.35 bequeathed to Laguna Honda Hospital through the Last Will and Testament of Ermeth M. Dirovizza, to be expended for "the specific use of patients' activities on holidays". (Supervisor Alioto)

File 38-96-11, Resolution No. 688-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Lease Extension at 732 Brannan Street]
Resolution authorizing extension of an existing month-to-month lease of real property at 732 Brannan Street for the Office of the District Attorney; providing for ratification of actions previously taken. (Real Estate Department)

File 64-96-13, Resolution No. 698-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Lesbian, Gay, Bisexual, Transgender Center]
Resolution supporting the construction of a community center to serve San Francisco's lesbian, gay, bisexual and transgender communities. (Supervisors Katz, Leal, Ammiano, Alioto, Brown, Bierman, Kaufman, Shelley, Teng, Yaki, Hsieh)

File 161-96-5, Resolution No. 704-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Water Department, Bernal Heights Statute of Limitations]
Resolution authorizing City Attorney to negotiate and enter into agreement with Alameda County and the City of Pleasanton to extend the statute of limitations for lawsuit, if any, related to land use entitlements for the San Francisco Water Department's Bernal property. (Public Utilities Commission)

File 188-96-1.1, Resolution No. 705-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Recommendation of Health, Public Safety and Environment Committee

Passed for Second Reading

[Sale of Firearms]
Ordinance amending Police Code, to prohibit the sale of firearms near churches, community centers and other locations where regularly scheduled activities are conducted for people under 18 years of age. (Supervisors Yaki, Leal, Kaufman, Bierman, Alioto, Shelley, Brown, Katz, Teng)

File 121-96-9.1, Ordinance No.

(Amends Article Nine, Section 613.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

In connection with the above item, Supervisors Brown, Katz, Teng requested to be added as co-sponsors.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Speed Limits]
Ordinance amending Traffic Code, adding King Street, between Third and Townsend Streets, and The Embarcadero, between Townsend and Folsom Streets, to the list of streets upon which a 35-MPH speed limit shall apply. (Department of Parking and Traffic)

File 124-96-6, Ordinance No.

(Adds Sections 176.40 and 176.41.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Adopted

[Liquor License, 1050 Van Ness Avenue]
Resolution opposing the request for the issuance of an off-sale beer and wine license to Leonardo Calderon for Golden Gate Gift Shop, located inside the Richelieu Hotel at 1050 Van Ness Avenue, and determining that it will not serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-19, Resolution No. 708-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Rereferred to Committee

[Liquor License Transfer, 642 Irving Street]
Resolution opposing the request for transfer of a Type 48 on-sale general public premise liquor license from Umbertos Restaurants, Inc., located at 141 Steuart Street, to Massoud H. Ghadjar for The Silver Comet, located at 642 Irving Street, and determining that it will not serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-23, Resolution No.

Supervisor Bierman, seconded by Supervisor Brown, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Adopted

[Liquor License Transfer, 3391 Mission Street]
Resolution determining that the transfer of a Type 20 off-sale beer and wine license to Joaquin Osorio, from a store located at 3216 Mission Street to 3391 Mission Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-24, Resolution No. 709-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Recess

The Board, at the hour of 2:41 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:11 p.m., reconvened.

Calling the Roll

The following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Noted absent:

Supervisors Alioto, Hsieh - 2.

Quorum present.

Recess

Supervisor Bierman, seconded by Supervisor Brown, moved to recess.

No objection and motion carried.

The Board, at the hour of 3:25 p.m., recessed.

Reconvening of the Board

The Board, at the hour of 4:15 p.m., reconvened.

Calling the Roll

The following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Noted absent:

Supervisors Alioto, Hsieh - 2.

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to Charter amendment (Fifth Draft), deleting Section 10.100; amending Sections A8.343, A8.403, A8.404, A8.409-1, A8.409-3, A8.409-4, A8.409-5, A8.590-4, A8.590-5, A8.590-6, A8.590-7, 11.100; and adding Sections 11.103, 11.104, amending the charter concerning collective bargaining relating to retirement and health benefits; abolishing and creating the Civil Service and Employee Relations Commission; and making managerial employees at-will exempt positions with exceptions.

File 252-96-1

The privilege of the floor was granted to the following persons:

Speaking in support: Josie Mooney, Al Triguero, Jim Ahern, Stan Smith, Don Vincent, Carrie Lucus, Dave Novogrodsky, Yolanda Williams, Father Lewis, Lynne Atkinson, Jim Stein, Irvin Leff, Vincent Carrington, Anthony Sacco.

Speaking in opposition: Doug Shorenstein, John Larson, Annemarie Conroy, Ken Cleveland, Vitaly Troyan, Jake Petrochino, Tony Prudhomme, Lee Munson, Helen Friedman, Al Walker, Chris Verdict, Chris Bowman, Jean Thomas, Jim Fabris, Leboriae P. Smoore, Mary Vail, Matt, Robert Nist.

No position: Indira Talwani.

Appointment of President Pro Tempore

At the request of the President, Supervisors Yaki and Kaufman assumed the Chair at different times so the President could participate in the debate from the floor.

Committee of the Whole Rise and Report Without Recommendation

Ordered Submitted as Amended

[Charter, Collective Bargaining]
Charter amendment (((Fifth))Seventh Draft) amending the charter concerning collective bargaining relating to retirement and health benefits; abolishing and creating the Civil Service and Employee Relations Commission; and making managerial employees at-will exempt positions with exceptions (deletes Section 10.100; amends Sections A8.343, A8.403, A8.404, A8.409-1, A8.409-3, A8.409-4, A8.409-5, A8.590-4, A8.590-5, A8.590-6, A8.590-7, 11.100; adds Sections 11.103, 11.104.) (Supervisors Shelley, Bierman)

File 252-96-1

(July 22, 1996 - Consideration continued to July 29, 1996.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved an Amendment of the Whole, Sixth Draft.

Amendment of the Whole, Sixth Draft, adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Supervisor Bierman, seconded by Supervisor Yaki, moved to amend page 42, Section 11.104, by adding "(c) Appointees to vacant positions in the management and executive management units shall meet the minimum qualifications necessary to perform the essential duties of the position."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Supervisor Yaki, seconded by Supervisor Kaufman, moved to amend page six, line three, by striking "Subject to subsections (a)(b)(c)(d)(e) and (f)" and inserting "Notwithstanding section (f) above,"; and amend page 11, line 15, by striking "Subject to subsections (a)(b)(c)(d)(e)(f) and (g) above" and inserting "Notwithstanding the provision for certification of comparable platform employee and bus operator wage levels in subsection (f) above,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Noes: Supervisors Leal, Teng - 2.

Absent: Supervisors Alioto, Hsieh - 2.

Supervisor Yaki, seconded by Supervisor Kaufman, moved to amend page three, lines 7, 8 and 10 to include, wherever police is mentioned, the words "and fire" and adding "s" at the end of "department" or "commission".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Seventh Draft ordered submitted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Teng, Yaki - 8.

Noes: Supervisor Leal - 1.

Absent: Supervisors Alioto, Hsieh - 2.

The President resumed the Chair.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of persons interested in and objecting to the report of the Fire Chief dated May 19, 1996 of delinquent charges for inspection and reinspection fees submitted by the Fire Department, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-96-1

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing on this item closed.

From the Fire Department

Adopted

[Inspection and Reinspection Fee Liens]
Resolution confirming report of delinquent charges for inspection and reinspection fees submitted by the Fire Department, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Fire Department)

File 41-96-1, Resolution No. 694-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of persons interested in and or objecting to Director of Public Works itemized report for sidewalk curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

File 41-96-2

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing on this item closed.

From Department of Public Works

Adopted

[Assessment Costs, Sidewalk/Curb Repairs]
Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works)

File 41-96-2, Resolution No. 695-96

The representative from the Department of Public Works submitted an updated report which deleted four properties from the list (550-60 Guerrero Street, 28 Harry Street, 1 Twin Peaks Boulevard and 45 Twin Peaks Boulevard).

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Katz requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Gift Acceptance]
Resolution authorizing the Director of Public Health to accept on behalf of the City a generous gift of services from the Breast Cancer Fund to make the logistical arrangements for the City's Breast Cancer Submit. (Supervisors Katz, Kaufman, Brown)

File 38-96-17, Resolution No. 689-96

(July 24, 1996 - Introduced for consideration on July 29, 1996.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Katz requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Fresh Start Farms Organic Farming]
Resolution urging the Water Department to lease Water Department-owned land to Fresh Start Farms. (Supervisor Katz)

File 188-96-3, Resolution No. 706-96

(July 24, 1996 - Introduced for consideration on July 29, 1996.)

Supervisor Katz, seconded by Supervisor Yaki, moved to amend page two, line 2, to strike the word "several" and insert "certain".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Metropolitan Transportation Commission]
Resolution consenting to have Supervisor Tom Hsieh complete the remainder of his term as the Board's representative to the Metropolitan Transportation Commission. (Supervisors Bierman, Kaufman, Leal, Ammiano, Yaki, Katz, Teng, Brown, Alioto)

File 92-96-40, Resolution No. 702-96

(July 22, 1996 - Introduced in Board for consideration on July 29, 1996.)

Adopted.

[Commend Community Board Program]
Resolution recognizing the contributions of the Community Board Program and commending the Program on achieving its 20th year of continuous service to the people of the City and County. (Supervisors Leal, Shelley, Alioto, Kaufman, Bierman, Brown, Yaki)

File 6-96-109, Resolution No. 674-96

(July 22, 1996 - Introduced in Board for consideration on July 29, 1996.)

Adopted.

In connection with the above item, Supervisors Brown, Yaki requested to be added as co-sponsors.

[Commend Chinese Christian Union]
Resolution commending the Chinese Christian Union on their 80th Anniversary and declaring September 15, 1996 as "Chinese Christian Union Day". (Supervisors Teng, Hsieh, Bierman, Brown, Yaki)

File 6-96-110, Resolution No. 675-96

(July 22, 1996 - Introduced in Board for consideration on July 29, 1996.)

Adopted.

In connection with the above item, Supervisors Brown, Yaki requested to be added as co-sponsors.

[Commend Greater Geary Merchants Association]
Resolution commending the Greater Geary Boulevard Merchants and Property Owners Association, Inc. on the occasion of its 50th Anniversary. (Supervisors Shelley, Alioto, Bierman, Brown, Kaufman, Yaki, Leal)

File 6-96-111, Resolution No. 676-96

(July 22, 1996 - Introduced in Board for consideration on July 29, 1996.)

In connection with the above item, Supervisors Brown, Kaufman, Yaki, Leal requested to be added as co-sponsors.

[Commend Officer Samuel W. Watt]
Resolution commending Officer Samuel (Sam) W. Watt for his thirty-one years of public service. (Supervisors Shelley, Alioto, Bierman, Kaufman, Brown, Yaki, Leal)

File 6-96-112, Resolution No. 677-96

(July 22, 1996 - Introduced in Board for consideration on July 29, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Brown, Yaki, Leal requested to be added as co-sponsors.

[Homeowners Earthquake Insurance]
Resolution urging the California State Legislature, the Insurance Commission, and the Governor to establish a California Earthquake Authority to operate on behalf of all residents of California; to offer equitable earthquake coverage to homeowners in Northern California and to offer an equitable rating structure for earthquake insurance. (Supervisors Teng, Bierman, Alioto, Brown, Leal)

File 12-96-39, Resolution No. 679-96

(July 22, 1996 - Introduced in Board for consideration on July 29, 1996.)

Adopted.

In connection with the above item, Supervisors Brown, Leal requested to be added as co-sponsors.

[Top Brackets Initiative, Proposition 217]
Resolution expressing the support of the San Francisco Board of Supervisors for the passage of Proposition 217 (Top Brackets Initiative). (Supervisors Bierman, Ammiano, Alioto, Brown)

File 60-96-7, Resolution No. 697-96

(July 22, 1996 - Introduced in Board for consideration on July 29, 1996.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.14

(July 22, 1996 - Introduced in Board for consideration on July 29, 1996.)

Adopted.

[Immigration and Naturalization Service]
Resolution directing the Clerk of the Board of Supervisors to write the District Director of the Immigration and Naturalization Service (INS) protesting the deportation of Laoura Tedeeva Korewicki and urging the INS to grant an expedited waiver of the five year wait prescribed for deportees. (Supervisors Bierman, Brown)

File 13-96-31, Resolution No. 680-96

(July 23, 1996 - Introduced for consideration on July 29, 1996.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Imperative Resolutions]

Adopted

[Commend Malcolm Glover]
Resolution commending Malcolm Glover for fifty years of service and dedication to the San Francisco Examiner and the profession of journalism and proclaiming August 2, 1996 "Malcolm Glover Day".

File 006-96-113, Resolution No. 678-96

Supervisors Shelley, Kaufman, Brown, Leal, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Gay/Lesbian Cultural Center]
Ordinance rescinding $1,275,000 from Convention Facilities Fund Capital Project and re-appropriating the funds to the Mayor's Office of Community Development for predevelopment, design and property purchase costs of the Gay/Lesbian Community Center for fiscal year 1996-97; placing $1,200,000 on reserve. Mayor Willie L. Brown, Jr. presented. Referred to Budget Committee with request it be considered on August 7, 1996.

File 101-96-007.

[Lead Hazard Reduction]
Ordinance amending Health Code Section 1608, concerning San Francisco Lead Hazard Reduction Citizens Advisory Committee by reducing its membership from 23 to 21 members by deleting representatives from the Department of Public Health and the insurance industry. Supervisor Shelley presented. Referred to Rules Committee.

File 118-96-005.

[Commend Joint Leadership Training Program]
Resolution commending the graduates of the first Joint Leadership Training Program sponsored by the Chinese Progressive Association and the Northern California Coalition for Immigrant Rights. Supervisors Teng, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 5, 1996.

File 006-96-114.

Referred to Board

[State Legislation, AB 1841] Resolution supporting AB 1841 which would require insurers and health care service plans to include coverage for a minimum of 48 hours of inpatient care for mothers and newborns after childbirth. Supervisors Kaufman, Leal, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar August 5, 1996.

File 012-96-040.

[Welfare Reform Bill]
Resolution opposing the welfare reform bill that would preclude legal immigrants from receiving public benefits and greatly undermine benefits to poor people; urging the Conference Committee of the U.S. House of Representatives and Senate to adopt the least restrictive provisions of the welfare reform bill; and urging the President to veto H.R. 3734 and all other bills restricting immigrants' access to services. Supervisors Katz, Ammiano, Kaufman, Leal, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 5, 1996.

File 013-96-032.

[Community Development Fund]
Resolution urging the Mayor's Office of Community Development to fund the collaboration between the California Procurement Training and Assistance Center and the San Francisco Small Business Development Center. Supervisors Kaufman, Teng, Yaki, Leal, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar August 5, 1996.

File 079-96-001.

[Tour Bus Idling]
Resolution urging the Parking and Traffic Commission to enforce San Francisco Traffic Code Section 60.5 prohibiting tour buses to idle while parked. Supervisors Bierman, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar August 5, 1996.

File 190-96-005.

[Tour Buses]
Resolution urging the Parking and Traffic Commission to require tour busses to park at Pier 30. Supervisors Bierman, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar August 5, 1996.

File 190-96-006.

Requests for Hearings:

[Welfare Reform]
Hearing to consider the response of City departments, including Human Services and Health, to welfare reform legislation pending in Congress. Supervisor Yaki presented. Referred to Health/Public Safety/Environment Committee.

File 013-96-032.01.

[TCI/Viacom]
Hearing to consider the transfer of Viacom's cable operations to TCI and proposed franchise amendments and transfer agreement. Supervisors Shelley, Ammiano presented. Referred to Rules Committee.

File 032-96-001.03.

[Central Freeway]
Hearing to consider the Central Freeway. Supervisor Bierman presented. Referred to Housing and Land Use Committee with request it be considered on August 15, 1996.

File 085-96-001.

[Housing Authority]
Hearing to consider issues related to the San Francisco Housing Authority. Supervisor Shelley presented. Referred to Rules Committee.

File 206-96-004.

[Violence in the Community]
Hearing to consider the violence, homicides and other crimes increasing in our communities-at-large among our African American and Hispanic/Latino youths and possible solutions. Supervisor Brown presented. Referred to Economic Vitality/Social Policy Committee.

File 207-96-008.

[Women's Economic Agenda]
Hearing to consider the recommendations of the 1995 San Francisco Women's Economic Agenda. Supervisor Shelley presented. Referred to Rules Committee.

File 242-96-002.

[Channel 54]
Hearing to consider policies and procedures for San Francisco's government Channel 54. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee with request it be considered on August 13, 1996.

File 263-96-001.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that City Attorney prepare resolution to impose interim zoning controls to temporarily prohibit the establishment of bars and any eating establishments in the West Portal Avenue Commercial District (established by Planning Code Section 729.1), for an 18 month period.

By Supervisor Bierman, that Budget Analyst prepare analysis of the contractual relationships between the City and County and University of California for consideration by the Housing and Land Use Committee at its September 5, 1996 meeting.

By Supervisor Katz, that City Attorney prepare amendment to the rent ordinance concerning security deposits, application/tenant screening fee, consumer credit report and establishing penalties.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Colin Wilcox (Supervisor Bierman)
Francis J. McTernan (Supervisor Bierman)
Jessica Mitford (By the entire Board)
Guillermo Bolanos (Supervisor Leal)

File 2-96-31

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of7:05 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 3, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, August 5, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 5, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Kevin Shelley, the meeting was called to order at 2:04 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Teng, Yaki - 6.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Katz, Leal, Shelley - 5.

Quorum present.

Supervisor Alioto excused. (See infra.)

Supervisor Hsieh was noted present at 2:05 p.m.

Supervisor Katz was noted present at 2:05 p.m.

Supervisor Leal excused. (See infra.)

Supervisor Shelley excused. (See infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Yaki, seconded by Supervisor Bierman, moved that Supervisor Kaufman be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Kaufman, Katz, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

Supervisors Alioto, Hsieh, Leal, Shelley Excused

The Clerk stated Supervisors Alioto, Leal and Shelley requested to be excused from attending today's meeting and Supervisor Hsieh needs to be excused from attending the meeting of July 29, 1996.

Supervisor Teng, seconded by Supervisor Yaki, moved to excuse the above-named Supervisors from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Hsieh, moved that the Journals of Proceedings for Monday, June 24, 1996 and July 1, 1996 be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Patient Rates]
Ordinance amending Health Code, to fix patient rates for services furnished by City and County institutions, effective retroactively to July 1, 1996, and rescinding Resolution No. 620-95. (Department of Public Health)

File 30-95-11.2, Ordinance No. 313-96

(Adds Section 128.)

Finally passed.

[Department of Human Services Membership]
Ordinance amending Administrative Code, relating to Department of Human Services membership adding Child Welfare League of America and deleting California Conference of Social Welfare, and National Conference of Social Work. (Department of Human Services)

File 97-96-40, Ordinance No. 319-96

(Amends Section 16.6-11.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Compensation, Arbitrator's Award]
Ordinance amending Ordinance No. 316-94 to implement the provisions of the arbitrator's award amending the Memorandum of Understanding between the Building Inspectors Association and the City and County to be effective July 1, 1996 through June 30, 1997. (Supervisors Shelley, Bierman)

File 93-94-17.5, Ordinance No. 312-96

Finally passed.

[Amendment to MOU, Local 856]
Ordinance amending Ordinance No. 21-96 to implement the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856, and the City and County of San Francisco for Bargaining Unit 11B, Supervising Registered Nurses, effective July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-95-52.1, Ordinance No. 314-96

Finally passed.

[Airport Lease Modification, USAir, Inc.]
Ordinance approving retroactively, Modification No. 8 to Lease and Use Agreement between USAir, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-7, Ordinance No. 315-96

Finally passed.

[Termination of Lease, Continental Airlines]
Ordinance approving early termination of Lease Nos. PUC 21391 and 21968 between Continental Airlines, Inc. and the City and County, acting by and through its Airports Commission; providing for ratification of action previously taken. (Airports Commission)

File 27-96-8, Ordinance No. 316-96

Finally passed.

[Pest Detection and Trapping]
Ordinance amending Administrative Code, to authorize the President of the Board of Supervisors or the President's designee to execute an annual contract between the City and County and the California Department of Food and Agriculture for exotic pest detection and trapping. (Department of Agriculture and Weights and Measures)

File 97-96-38, Ordinance No. 318-96

(Adds Section 1.13-9.)

Finally passed.

Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Sale of Firearms]
Ordinance amending Police Code, to prohibit the sale of firearms near churches, community centers and other locations where regularly scheduled activities are conducted for people under 18 years of age. (Supervisors Yaki, Leal, Kaufman, Bierman, Alioto, Shelley, Brown, Katz, Teng)

File 121-96-9.1, Ordinance No. 322-96

(Amends Article Nine, Section 613.3.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Speed Limits]
Ordinance amending Traffic Code, adding King Street, between Third and Townsend Streets, and The Embarcadero, between Townsend and Folsom Streets, to the list of streets upon which a 35-MPH speed limit shall apply. (Department of Parking and Traffic)

File 124-96-6, Ordinance No. 323-96

(Adds Sections 176.40 and 176.41.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Consideration Continued

[Retirement]
Ordinance authorizing amendment to the contract between the City and County and the Board of Administration of the California Public Employees' Retirement System, to transfer prior service for safety members in the Adult and Juvenile Probation Departments who elected prospective membership on September 1, 1990. (Supervisors Yaki, Bierman)

File 154-96-1.1, Ordinance No.

Supervisor Yaki, seconded by Supervisor Bierman, moved to continue consideration to August 12, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

Recommendations of Select Committee on Charter Implementation

Finally Passed

[Former Charter Provisions]
Ordinance amending Administrative Code, to make necessary changes to conform to the 1996 Charter; and adding a section relating to the creation of new ranks in the Police Department; and repealing former charter sections relating to the powers of the Controller; relating to consultants to the Planning Commission; relating to removal of structures during a conflagration. (Supervisor Kaufman)

File 97-96-42, Ordinance No. 320-96

(Adds Sections 2.6-4, 2.6-5, 2A.70, 2.6-6, 2A.51, 2A.75, 2A.76, 2A.77, 2A.78, 2A.79, 2A.80, 2A.81, 2A.90, 2A.91, 2A.92, 2A.93, 2A.94, 2A.95 and 2A.96, to codify Sections 2.203, 2.203-3, 3.402, 3.502, 3.529, 3.531, 3.533, 3.534, 3.535, 3.537, 3.538, 3.539, 3.540, 3.541, 3.542, 3.543, 3.544, 3.545 and 3.546 of the 1932 Charter; Repeals former Charter Sections 3.301, 3.523, 3.547.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

[1996 Charter Changes to Administrative Code]
Ordinance amending Administrative Code, relating to functions and duties of the Chief Administrative Officer, to conform to the provisions of the Charter of 1996. (Select Committee on Charter Implementation)

File 97-96-19.3, Ordinance No. 317-96

(Amends Sections 5.40, 5.60 and 11.32.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

[Charter Implementation Planning Code]
Ordinance amending Planning Code, to make the new names of the General Plan, Planning Department, Planning Commission and Board of Appeals applicable to the Planning Code, to implement the Charter and provide procedures for General Plan amendments, to make the Planning Code consistent with the Charter and clarify procedures and changing the time period for an appeal to a written determination of the Zoning Administrator from ten days to fifteen days as provided in the Administrative Code. (Planning Department)

File 115-96-7, Ordinance No. 321-96

(Adds Sections 108, 340;
Amends Sections 302, 306, 306.1, 306.2, 306.3, 306.4, 306.5, 308.1 and 308.2.)

(City Planning Resolution No. 14138, adopted 6/13/96). (Exempt Status: General Rule Exclusion (State Guidelines, Section 15061(b)(3).)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

NEW BUSINESS

Conference with City Attorney - Litigation

Tabled

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

The Clerk stated the City Attorney has withdrawn the request for a closed session.

Supervisor Ammiano, seconded by Supervisor Yaki, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Wendy, harassment;
Connie Kuruppu, affordable housing;
Female speaker, Bay Area News;
Rodney, taxes, ballpark;
Wayne Jusman, Cannabis Club.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Joint Leadership Training Program]
Resolution commending the graduates of the first Joint Leadership Training Program sponsored by the Chinese Progressive Association and the Northern California Coalition for Immigrant Rights. (Supervisors Teng, Shelley, Alioto, Brown, Katz, Bierman)

File 6-96-114, Resolution No. 710-96

(July 29, 1996 - Introduced in Board for consideration on August 5, 1996.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Bierman requested to be added as co-sponsors.

[State Legislation, AB 1841]
Resolution supporting AB 1841 which would require insurers and health care service plans to include coverage for a minimum of 48 hours of inpatient care for mothers and newborns after childbirth. (Supervisors Kaufman, Leal, Katz, Alioto, Brown, Bierman)

File 12-96-40, Resolution No. 711-96

(July 29, 1996 - Introduced in Board for consideration on August 5, 1996.)

Adopted.

In connection with the above item, Supervisors Brown, Bierman requested to be added as co-sponsors.

[Benefit Restrictions for Legal Immigrants and the Poor]
Resolution opposing the welfare reform bill that would preclude legal immigrants from receiving public benefits and greatly undermine benefits to poor people; urging the Conference Committee of the U.S. House of Representatives and Senate to adopt the least restrictive provisions of the welfare reform bill; and urging the President to veto H.R. 3734 and all other bills restricting immigrants' access to services. (Supervisors Katz, Ammiano, Kaufman, Leal, Bierman, Alioto, Brown)

File 13-96-32, Resolution No. 712-96

(July 29, 1996 - Introduced in Board for consideration on August 5, 1996.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Community Development Fund]
Resolution urging the Mayor's Office of Community Development to fund the collaboration between the California Procurement Training and Assistance Center and the San Francisco Small Business Development Center. (Supervisors Kaufman, Teng, Yaki, Leal, Katz, Alioto, Brown, Bierman)

File 79-96-1, Resolution No. 713-96

(July 29, 1996 - Introduced in Board for consideration on August 5, 1996.)

Adopted.

In connection with the above item, Supervisors Brown, Bierman requested to be added as co-sponsors.

[Prohibiting Tour Bus Idling]
Resolution urging the Parking and Traffic Commission to enforce San Francisco Traffic Code Section 60.5 prohibiting tour buses to idle while parked. (Supervisors Bierman, Teng, Leal, Brown)

File 190-96-5, Resolution No. 714-96

(July 29, 1996 - Introduced in Board for consideration on August 5, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Brown requested to be added as co-sponsors.

[Tour Buses]
Resolution urging the Parking and Traffic Commission to require tour busses to park at Pier 30. (Supervisors Bierman, Teng, Brown)

File 190-96-6, Resolution No. 715-96

(July 29, 1996 - Introduced in Board for consideration on August 5, 1996.)

Adopted.

In connection with the above item, Supervisors Brown requested to be added as co-sponsor.

[Consolidation of BARTD Election November 5, 1996]
Motion consolidating the Bay Area Rapid Transit District Election to be held in the City and County on November 5, 1996 with the General Municipal and Special Election scheduled for the same date, and providing that the election precincts, voting places and officers for election shall be the same as for the General Municipal and Special Election. (Clerk of the Board)

File 60-96-8

(July 30, 1996 - Introduced for consideration on August 5, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Alioto, Leal, Shelley - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Hotel Room Tax Administration]
Ordinance amending Municipal Code, Part III, Section 515 to transfer administration of the Hotel Tax Fund from the Chief Administrative Officer to the Mayor (with respect to housing uses of the fund) and to the City Administrator (with respect to non-housing uses of the fund) and to clarify residency requirements. Supervisor Brown presented. Referred to Housing and Land Use Committee.

File 127-96-007.

Referred to Board

[Commend West Portal Fine Arts and Music Festival]
Resolution commending the West Portal Avenue Association of San Francisco and declaring September 21, 1996 as "West Portal Fine Arts and Music Festival Day". Supervisors Teng, Shelley, Kaufman, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 12, 1996.

File 006-96-115.

[Commend Chinese Community Cardiac Council]
Resolution commending the Chinese Community Cardiac Council on their program to help restaurants offer heart healthy menu items. Supervisors Teng, Alioto, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 12, 1996.

File 006-96-116.

[Commend Western Park Apartments]
Resolution commending the Western Park Apartments and declaring August 24, 1996 to be "Western Park Apartments Day" in San Francisco. Supervisors Hsieh, Alioto, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 12, 1996.

File 006-96-117.

[Anti-Gay Violence in Zimbabwe]
Resolution urging Mayor Brown to contact human rights officials in the United States Department of State to condemn anti-gay activities of the Zimbabwean government and to strongly condemn the anti-gay violence which occurred at the Harare International Book Fair and to call on the President of Zimbabwe to disavow the homophobic policies his government has pursued and take steps to protect the human and civil rights of lesbian and gay Zimbabweans. Supervisors Ammiano, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 12, 1996.

File 013-96-033.

Referred to Committee

[Medical Marijuana Emergency]
Resolution requesting the Director of the Department of Public Health submit to the Board a proclamation of a state of medical emergency regarding the provision of medical marijuana for people living with HIV/AIDS and other medical conditions benefiting from marijuana use. Supervisors Ammiano, Bierman, Leal, Alioto, Katz presented. Referred to Health/Public Safety/Environment Committee.

File 030-96-015.

[Citizenship Movement]
Resolution declaring it to be the policy of the City and County of San Francisco to promote a multi-level citizenship movement with the purpose of insuring attainment of citizenship through naturalization for all qualified immigrants and urging maximization of classes in citizenship and English as a second language, increased outreach and assistance with the naturalization process, expedited processing of naturalization applications by the Immigration and Naturalization Service, and priority funding for community-based organizations which provide classes and assistance. Supervisors Teng, Katz, Alioto, Bierman presented. Referred to Economic Vitality/Social Policy Committee.

File 043-96-002.

[Sunset Recreation Center]
Resolution urging the Recreation and Park Department to take corrective action at the Sunset Recreation Center facility by making the facility accessible to the seniors, especially in cases of emergencies. Supervisors Teng, Alioto, Bierman, Shelley presented. Referred to Economic Vitality/Social Policy Committee.

File 193-96-005.

[Domestic Violence Education/Prevention]
Resolution endorsing and supporting the mission and goals of the Chinese Community Health Education Council and urging San Francisco Municipal Railway, through Transportation Displays, Incorporated, and other city departments to support the domestic violence prevention campaign in the Chinese community by promoting education and other services. Supervisors Teng, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 264-96-001.

Requests for Hearings:

[Cannabis Buyers Club]
Hearing to consider the circumstances involved in a raid on San Francisco's Cannabis Buyers Club conducted by the Attorney General and his state Bureau of Narcotics Enforcement investigators. Supervisors Ammiano, Bierman, Leal, Katz, Alioto. presented. Referred to Government Efficiency/Labor Committee

File 012-96-041.

[Appointment, Juvenile Probation Commission]
Hearing to consider Mayor's appointment of Eleazar Aramburo to serve as member of the Juvenile Probation Commission. Mayor Willie L. Brown, Jr. presented. Referred to Rules Committee with request it be considered on August 8, 1996.

File 033-96-012.

[Appointment, Juvenile Probation Commission]
Hearing to consider Mayor's appointment of Damone Keith Hale to serve as a member of the Juvenile Probation Commission. Mayor Willie L. Brown, Jr. presented. Referred to Rules Committee with request it be considered on August 8, 1996.

File 033-96-013.

[Appointment, Juvenile Probation Commission]
Hearing to consider Mayor's appointment of Brenda Jackson Drake to serve as a member of the Juvenile Probation Commission. Mayor Willie L. Brown, Jr. presented. Referred to Rules Committee with request it be considered on August 8, 1996.

File 033-96-014.

[Appointment, Parking and Traffic Commission]
Hearing to consider Mayor's appointment of Gavin Newsom to serve as a member of the Parking and Traffic Commission. Mayor Willie L. Brown, Jr. presented. Referred to Rules Committee with request it be considered on August 8, 1996.

File 033-96-015.
[Ballot Argument, Affordable Housing Bond]
Hearing to consider ballot argument in favor of bond measure concerning affordable housing. Supervisors Bierman, Teng presented. Referred to Rules Committee.

File 060-96-006.01.

[Ballot Argument, M. H. deYoung Museum Bond]
Hearing to consider ballot argument in favor of bond measure concerning the deYoung Museum. Supervisor Shelley presented. Referred to Rules Committee.

File 060-96-006.02.

[Ballot Arguments]
Hearing to consider submitting ballot arguments concerning propositions filed with the Director of Elections after August 5, 1996 for the November 5, 1996 Election. Clerk of the Board presented. Referred to Rules Committee.

File 060-96-009.

[Sunset Recreation Center]
Hearing to consider and seek an explanation for incidents which occurred at the Sunset Recreation Center and to prevent future incidents from occurring. Supervisor Teng presented. Referred to Economic Vitality/Social Policy Committee.

File 193-96-006.

[Ballot Argument, Retiree COLA]
Hearing to consider ballot argument in favor of charter amendment concerning supplemental cost of living benefit for retirees and their survivors (retiree COLA proposal). Supervisors Bierman, Teng presented. Referred to Rules Committee.

File 246-96-002.

[Ballot Argument, Compensation, Supervisors]
Hearing to consider ballot argument in favor of charter amendment concerning setting salary for members of the Board of Supervisors at $50,000 per year and making the members of the Board of Supervisors members of the Retirement System. Supervisor Ammiano presented. Referred to Rules Committee.

File 249-96-002.

[Ballot Argument, At-large, Preference Election]
Hearing to consider ballot argument in favor of charter amendment concerning at-large election of 11 supervisors using preference voting. Supervisor Ammiano presented. Referred to Rules Committee.

File 250-96-002.

[Ballot Argument, District Election]
Hearing to consider ballot argument in favor of charter amendment concerning election of 11 supervisors from 11 districts. Supervisor Ammiano presented. Referred to Rules Committee.

File 251-96-002.

[Ballot Argument, Omnibus Charter Amendment]
Hearing to consider ballot argument in favor of charter amendment concerning police and fire disciplinary procedures, collective bargaining of retirement and health benefits; abolishing and creating the Civil Service and Employee Relations Commission; and making managerial employees at-will, exempt positions with exceptions. Supervisors Shelley, Bierman presented. Referred to Rules Committee.

File 252-96-002.

[Ballot Argument, Retirement, Firefighters]
Hearing to consider ballot argument in favor of charter amendment relating to retirement benefits for firefighters. Supervisor Shelley presented. Referred to Rules Committee.

File 253-96-002.

[Ballot Argument, Consent Decrees, Police/Fire]
Hearing to consider ballot argument in favor of charter amendment relating to hiring/promotion of uniformed members of the San Francisco Police and Fire Departments (consent decrees). Supervisor Shelley presented. Referred to Rules Committee.

File 257-96-002.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar August 12, 1996.

File 030-96-001.15.

Introduced by the President at the Request of Departments

Referred to Board

File 014-96-001. [Garbage Liens] Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on September 3, 1996, at 3:00 p.m.

File 041-96-004. [Reinspection Fee Liens] Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on September 3, 1996 at 3:00 p.m.

Referred to Committee

File 048-96-025. [Settlement of Claim, Albert & Carol Tom] Resolution approving the settlement of the unlitigated claim of Albert and Carol Tom by payment of $13,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-026. [Settlement of Claim, Brian and Debra Shea] Resolution approving the settlement of the unlitigated claim of Brian and Debra Shea by payment of $15,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-027. [Settlement of Claim, Carlos Amezcua] Resolution approving the settlement of the unlitigated claim of Carlos Amezcua by payment of $9,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-96-008. [Appropriations Limit, Fiscal Year 1996-97] Resolution establishing the appropriations limit for fiscal year 1996-97 pursuant to California Constitution Article XIII B. (Controller) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that City Attorney prepare ordinance which would regulate the placement, installation, encroachment permit for bicycle racks.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

T. J. Anthony (By the entire Board)
Katherine Hewtson Bigelow (Supervisor Shelley)
Evan Chan (Supervisor Teng)
Lifi Palega (Supervisor Teng)

File 2-96-32

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:58 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 3, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, August 12, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 91 Number 33

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 12, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Noted absent at first roll call:

Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

Quorum present.

Supervisors Alioto, Ammiano, Brown, Hsieh, Yaki excused. (See infra.)

Supervisors Alioto, Ammiano, Brown, Hsieh, Leal Excused

The Clerk stated Supervisors Alioto, Ammiano, Brown, Hsieh and Leal requested to be excused from attending today's meeting.

Supervisor Kaufman, seconded by Supervisor Teng, moved to excuse Supervisors Alioto, Ammiano, Brown, Hsieh, and Leal from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kaufman, seconded by Supervisor Teng, moved that the Journals of Proceedings for Monday, July 8, and July 15, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

CONSENT CALENDAR

Recommendation of Budget Committee

Passed for Second Reading

[Appropriation, Hetch Hetchy]
Ordinance appropriating and certifying $100,931, Hetch Hetchy, of Hetch Hetchy Operating Funds, for a capital improvement project (Moccasin Penstock Repair) to cover 10% overage per Charter Section 18.103 (Ordinance 7.203) for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-3, Ordinance No.

Passed for second reading.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersection, Various Locations]
Resolution designating certain intersections as Stop intersections. (Housing and Land Use Committee)

File 18-96-11, Resolution No. 721-96

(Stop Signs - Establish
Colin P. Kelly, Jr. and Townsend Streets, northwest corner, stopping Colin P. Kelly, Jr. Street traffic (stops the stem of this T-intersection).

Leavenworth and Vallejo Streets, northwest and southeast corners, stopping Leavenworth Street traffic (makes this an all-way stop).

Twenty-Third and Utah Streets, northeast and southwest corners, stopping Twenty-Third Street traffic (makes this T-intersection an all-way stop).

Stop Signs - Rescind
South Van Ness Avenue and Howard Street, northwest corner, stopping southbound South Van Ness Avenue traffic.

South Van Ness Avenue and Howard Street, stopping northbound left turns on South Van Ness Avenue.)

Adopted.

[Traffic Regulations, Various Locations]
Resolution enacting and rescinding traffic regulations at various locations. (Housing and Land Use Committee)

File 20-96-10, Resolution No. 722-96

(Right Turn Only - Establish
Howard Street, westbound, at South Van Ness Avenue.

No Left Turn, 4 P.M. - 6 P.M., Monday Through Saturday - Rescind
No Left Turn, 3 P.M. - 7 P.M., Monday Through Friday, Except Emergency Vehicles - Establish
Sixth Street, northbound, at Ahern Way.)

Adopted.

[Residential Parking Area "S", Duboce Triangle]
Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Sanchez Street, between Eighteenth and Hancock Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-17, Resolution No. 725-96

Adopted.

[Residential Parking Area "U", South of Market]
Resolution amending the boundaries of Residential Permit Parking Area "U" in the South of Market Area to include Block 3763, Lot 8 (414 Bryant Street). (Department of Parking and Traffic)

File 40-96-18, Resolution No. 726-96

Adopted.

[Residential Parking Area "J", Sunset/Parnassus]
Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding Belvedere Street, between Grattan and Alma Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-19, Resolution No. 727-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Consideration Continued

[Retirement]
Ordinance authorizing amendment to the contract between the City and County and the Board of Administration of the California Public Employees' Retirement System, to transfer prior service for safety members in the Adult and Juvenile Probation Departments who elected prospective membership on September 1, 1990. (Supervisors Yaki, Bierman)

File 154-96-1.1, Ordinance No.

(August 5, 1996 - Consideration continued to August 12, 1996.)

Supervisor Yaki, seconded by Supervisor Kaufman, moved to continue consideration to September 3, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

NEW BUSINESS

Recommendations of Budget Committee

[Appropriation, Department of Public Works]
Ordinance appropriating $12,040,000, Department of Public Works, of Clean Water Enterprise Revenue Bond and Operating Fund Revenue, to provide funding for Seacliff emergency work and the Twenty-fourth Avenue sewer and slope reconstruction project for fiscal year 1996-97; providing for ratification of action previously taken.
(Controller)

File 101-96-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

[Appropriation, Municipal Railway]
Ordinance rescinding $2,160,000, Municipal Railway, from a Transit Impact Development Fee project for land acquisition at Woods Maintenance Division and re-appropriating the funds to complete an exchange of Federal Section Nine (9) Capital Assistance Funds with the San Diego Metropolitan Transit Development Board which will allow the Municipal Railway to purchase equipment in fiscal year 1996-97.
(Controller)

File 101-96-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

[Appropriation, Department of Public Works]
Ordinance appropriating $1,000,000, Department of Public Works, of 1988 Sewer Revenue Bond Proceeds for the Pier 98 Wetlands Enhancement Project for fiscal year 1996-97; placing $1,000,000 on reserve.
(Controller)

File 101-96-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

[Appropriation, Gay/Lesbian Cultural Center]
Ordinance rescinding $1,275,000, Mayor's Office of Community Development, from Convention Facilities Fund Capital Project and re-appropriating the funds to the Mayor's Office of Community Development for predevelopment, design and property purchase costs of the Gay/Lesbian Community Center for fiscal year 1996-97; placing $1,200,000 on reserve. (Mayor Willie L. Brown, Jr.; Supervisors Katz, Leal, Ammiano, Kaufman, Yaki, Hsieh, Shelley, Bierman, Alioto, Teng, Brown)

File 101-96-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

Adopted

[Finding, Airport - Rates and Charges]
Resolution making a finding that the schedule of rates and charges for common use facilities established by the Airports Commission effective July 1, 1996, will be sufficient to pay for maintenance and operation expenses of the San Francisco International Airport and will not require any tax subsidy. (Airports Commission)

File 27-96-12, Resolution No. 723-96

Adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

[Airport - Rates and Charges]
Resolution approving changes to the schedule of rates and charges for common use facilities at the San Francisco International Airport as established by the Airports Commission; companion measure to File 27-96-12. (Airports Commission)

File 27-96-12.1, Resolution No. 724-96

Adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

Recommendation of Economic Vitality and Social Policy Committee

Passed for Second Reading

[Gender Parity]
Ordinance amending Administrative Code, requiring the Mayor's Office of Children, Youth and Families to annually report funds allocated by all departments and agencies of the City and County and the amount of the actual services rendered by them to young males under 18 years of age and young females under 18 years of age and to identify disparities in either the funding allocations and/or the amount of the actual services rendered. (Supervisors Kaufman, Leal, Alioto, Teng, Shelley, Katz, Bierman)

File 97-96-41, Ordinance No.

(Adds Section 3.17-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

In connection with the above item, Supervisors Shelley, Katz, Bierman requested to be added as co-sponsors.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Organic Waste Diversion Pilot Program]
Resolution urging the Mayor to request the Solid Waste Management Program to work in cooperation with Sanitary Fill Company and its affiliated collection companies to undertake pilot programs to divert food and other organic wastes from landfill disposal and authorizing Sanitary Fill Company to divert organic waste from the Altamont Landfill. (Solid Waste Management)

File 57-96-2, Resolution No. 728-96

Adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Changing Width of Sidewalk, Steuart Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1526 changing the official sidewalk width on the easterly side of Steuart Street between Mission Street and Howard Street, as shown on the Department of Public Works drawing labeled Q-20-437 and making findings
pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

[Zoning Map Amendment, 1306 Portola Drive]
Ordinance amending Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County for property generally described as 1306 Portola Drive, Assessor's Block 2987, Lot 4, to remove a 15-foot legislated setback in an RH-1(D) (House, One-Family, Detached) District and adopting findings pursuant to Planning Code Section 101.1. (City Planning Department)

File 36-96-6, Ordinance No.

(June 6, 1996 - Approved by City Planning Commission Resolution No. 14129.)

(Exempt from environmental review as listed under Provision 5(a) of the State Guidelines for the implementation of the California Environmental Quality Act.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

Adopted

[Barbary Coast Trail]
Resolution designating 3.8 miles of public rights of way between the old Mint at Fifth and Mission Streets and Aquatic Park as eligible for installation of commemorative plaques, pursuant to Public Works Code Section 789.2(a), in order to identify points of interest along the historic trail to be known as the Barbary Coast Trail. (Supervisors Kaufman, Alioto, Bierman, Teng, Shelley)

File 200-96-7, Resolution No. 730-96

Adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

Consideration Continued

[Mission Bay North Survey Area]
Resolution designating and describing the Mission Bay North Survey Area in accordance with the California Community Redevelopment Law. (Redevelopment Agency)

File 255-96-1, Resolution No.

Supervisor Bierman, seconded by Supervisor Teng, moved to continue consideration to August 19, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

Adopted

[Encroachment Permit Appeal - 2941 Clay Street]
Motion upholding the decision by the Department of Public Works, which denied the issuance of a Minor Sidewalk Encroachment Permit to allow the construction of a warped driveway ramp and planter boxes on the sidewalk fronting the property at 2941 Clay Street, which ramp and boxes would encroach into the public right-of-way fronting the subject property, and denying the issuance of the requested Minor Encroachment Permit for the property at 2941 Clay Street. (Housing and Land Use Committee)

File 24-96-4

Adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]
Hearing of persons interested in or objecting to report of delinquent charges by the Director of the Department of Building Inspection for services rendered by said Department pursuant to the provisions of Sections 102.2, 102.16, 102.17, 102.18, et. seq., and Section 110 Tables I-G, and I-K, of the Building Code, the costs thereof having accrued to abate properties with outstanding code enforcement violations.

File 41-96-3

The privilege of the floor was granted to the following persons:

Male property owner;
Property owner, 149 London Street.

Supervisor Yaki, seconded by Supervisor Kaufman, moved to continue consideration to September 3, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

From the Department of Building Inspection

Consideration Continued

[Special Assessment Liens, Building Inspection]
Resolution confirming report of delinquent charges for (Assessment of Costs) Code enforcement cases, submitted by the Director of the Department of Building Inspection for services rendered by said Department pursuant to the provisions of Sections 102.2, 102.16, 102.17, 102.18, et. seq., and Section 110 Tables I-G, and I-K, of the Building Code, the costs thereof having accrued to abate properties with outstanding code enforcement violations. (Department of Building Inspection)

File 41-96-3, Resolution No.

The Department submitted an amended report dated August 12, 1996.

Supervisor Yaki, seconded by Supervisor Kaufman, moved to continue consideration to September 3, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

COMMITTEE REPORTS

Recommendations of Housing and Land Use Committee

Adopted

[Findings, 1000 Van Ness Avenue/901 Polk Street]
Resolution incorporating by reference findings made by the City Planning Commission and adopting findings pursuant to the California Environmental Quality Act relating to the construction of a mixed-used development project at 1000 Van Ness Avenue/901 Polk Street, as analyzed in the Final Environmental Impact Report, Case No. 94.618E. (Planning Department)

File 81-96-2, Resolution No. 729-96

Adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

Passed for Second Reading

[Zoning Map Amendment, 901 Polk Street]
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County for property located at 901 Polk Street at O'Farrell from a NC-3 District to RC-4 and Van Ness Special Use Districts; adopting findings pursuant to City Planning Code Section 101.1. (Planning Department)

File 36-96-7, Ordinance No.

(Approved by City Planning Resolution No. 14125, adopted 6/6/96.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

[Van Ness Special Use District]
Ordinance amending Planning Code by amending Sections 243 and 607.3 to allow for the replacement and/or restoration of signs on designated landmarks within the Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 81-96-2 and 81-96-2.1. (Planning Department)

File 81-96-2.1, Ordinance No.

(Approved by City Planning Resolution No. 14126, adopted 6/6/96.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ernestine Weiss, Ferry Park;
Martin Reed, Report of Commission on Status of African Americans;
Constance Kuruppu, eviction notice;
Kevin McAree, TCI/Viacom campaign contributions;
Laboriae P. Smoore, police brutality;
Hazel Rogers, Cannabis Club;
Denis Person, Cannabis Club;
Thomas Jones, Cannabis Club;
Two unidentified men, Cannabis Club;
Emperor Arcadia, Cannabis Club;
Female speaker, Cannabis Club;
Michael Bellefontaine, medicinal marijuana;
Daniel Ollis, medicinal marijuana;
Nicholas Stephenson, Cannabis Club;
James Low, Cannabis Club;
Female speaker, need for medical emergency;
Female speaker, police harassment;
Male speaker, medical emergency;
Tiesha Holden, Marina Middle School, lack of recognition of distinguished women;
Paul Demetri;
Thomas Hollis, Cannabis Club.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend West Portal Fine Arts and Music Festival]
Resolution commending the West Portal Avenue Association of San Francisco and declaring September 21, 1996 as "West Portal Fine Arts and Music Festival Day". (Supervisors Teng, Shelley, Kaufman, Bierman, Alioto, Katz)

File 6-96-115, Resolution No. 716-96

(August 5, 1996 - Introduced in Board for consideration on August 12, 1996.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Commend Chinese Community Cardiac Council]
Resolution commending the Chinese Community Cardiac Council on their program to help restaurants offer heart healthy menu items. (Supervisors Teng, Alioto, Shelley, Bierman, Katz)

File 6-96-116, Resolution No. 717-96

(August 5, 1996 - Introduced in Board for consideration on August 12, 1996.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Commend Western Park Apartments]
Resolution commending the Western Park Apartments and declaring August 24, 1996 to be "Western Park Apartments Day" in San Francisco. (Supervisors Hsieh, Alioto, Bierman, Shelley, Teng)

File 6-96-117, Resolution No. 718-96

(August 5, 1996 - Introduced in Board for consideration on August 12, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Anti-Gay Violence in Zimbabwe]
Resolution urging Mayor Brown to contact human rights officials in the United States Department of State to condemn anti-gay activities of the Zimbabwean government and to strongly condemn the anti-gay violence which occurred at the Harare International Book Fair and to call on the President of Zimbabwe to disavow the homophobic policies his government has pursued and take steps to protect the human and civil rights of lesbian and gay Zimbabweans. (Supervisors Ammiano, Bierman, Alioto, Katz)

File 13-96-33, Resolution No. 720-96

(August 5, 1996 - Introduced in Board for consideration on August 12, 1996.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.15

(August 5, 1996 - Introduced in Board for consideration on August 12, 1996.)

Adopted.

[Final Map, 795 Eighth Avenue]
Motion approving final map of 795 Eighth Avenue, a Mixed-Use Condominium Project, being a merger and resubdivision of Lots 45 and 46 in Assessor's Block No. 1651, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-23

(August 5, 1996 - Introduced in Board for consideration on August 12, 1996.)

Adopted.

[Ballot Arguments]
Motion authorizing a Board Committee or the sponsoring supervisors to deliver to the Clerk of the Board of Supervisors for submittal to the Director of Elections on behalf of the Board of Supervisors ballot arguments and/or rebuttal ballot arguments concerning propositions to be voted on in November, in the event the Board of Supervisors does not meet on August 19 or August 26, 1996. (Clerk of the Board)

File 60-96-10

(August 6, 1996 - Referred for consideration on August 12, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

[Imperative Resolutions]

Adopted

[Commending Third Baptist Church]
Resolution commending the Third Baptist Church for contributing to and providing spiritual leadership in the San Francisco community; and proclaiming Sunday, August 18, 1996 Third Baptist Church Day in San Francisco.

File 006-96-118, Resolution No. 719-96

Supervisor Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Bierman, Katz, Kaufman, Shelley, Teng, Yaki - 6.

Absent: Supervisors Alioto, Ammiano, Brown, Hsieh, Leal - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Commend Sunset District Neighborhood Coalition]
Resolution commending the Sunset District Neighborhood Coalition and declaring September 28, 1996 as "Sunset Community Festival Day" in San Francisco. Supervisors Teng, Shelley, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.

File 006-96-119.

[State Legislation - SCR 62]
Resolution supporting Senate Concurrent Resolution 62 (Thompson) and urging the Mayor to direct the City's lobbyist to urge the State Legislature to support SCR 62 that requests the Attorney General to bring a civil action against all major tobacco companies seeking reparations for public monies expended in treating tobacco related diseases. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.

File 012-96-042.

[Federal Legislation - HR 3937]
Resolution opposing House Resolution 3937 (Coburn) regarding federal HIV prevention and testing mandates, and urging his Honor, the Mayor, to transmit copies of this resolution to Congresswoman Nancy Pelosi and Congressman Tom Lantos, Senator Dianne Feinstein and Senator Barbara Boxer and San Francisco's federal legislative representative with the request that they take all actions necessary to achieve the objectives of this resolution. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.

File 013-96-034.

[U.S.S. Missouri]
Resolution declaring the wishes of the City and County of San Francisco to permanently relocate the U.S.S. Missouri Battleship in San Francisco for establishment of a museum, memorial, and other functions at Piers 30-32 and urging the U.S. Department of Navy to select the San Francisco Operation Missouri's application to manage the project. Supervisors Teng, Kaufman, Katz, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.

File 013-96-035.

Referred to Committee

[Stop Intersection, 6th Avenue and Hugo Street]
Resolution designating the intersection of 6th Avenue and Hugo Street as an all-way stop intersection. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 018-96-013.

Referred to Board

[San Francisco Healthy City Designation]
Resolution supporting renewal of San Francisco's Healthy City Designation; supporting collaborative economic and community development strategies planning; and supporting continued access of undocumented women to prenatal care through presumptive Medicaid eligibility. Supervisors Katz, Kaufman, Teng, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.

File 030-96-016.

[High Speed Rail]
Resolution supporting the California Intercity High Speed Rail Commission in its efforts to make San Francisco the central terminus in the bay area region. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.

File 171-96-001.

[Supporting the Peerless Clothing Workers]
Resolution supporting the Peerless Clothing Workers' fight for freedom of speech, freedom from sexual harassment and freedom from discrimination and urging Macy's and other retail outlets to refuse to sell clothing manufactured by Peerless Clothing until the ethnic discrimination and harassment, religious discrimination and other charges have been settled. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.

File 176-96-006.

Referred to Committee

[Parking Study-West Civic Center Area]
Resolution urging the Parking and Traffic Commission to instruct the Department of Parking and Traffic to undertake a long-term parking study of the West Civic Center area. Supervisor Kaufman presented. Referred to Housing and Land Use Committee.

File 190-96-007.

Requests for Hearings:

[Bay-Delta Accord]
Hearing to consider the Bay-Delta Accords and the litigation posture of the San Francisco Public Utilities Commission in regard to the State Water Quality Control Plan. Supervisor Yaki presented. Referred to Government Efficiency/Labor Committee.

File 005-96-001.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.

File 030-96-001.16.

[Extending Time for Negotiations-Local 250-A]
Motion extending time pursuant to Charter Sections 11.100 and A8.404 for negotiations with the Transport Workers Union, Local 250-A representing 9163 Transit Operators. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.

File 104-96-003.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-049. [U.S.A. (Davis) v. CCSF] Ordinance authorizing partial settlement of litigation of U.S.A. (Davis) v. City and County of San Francisco, by payment of $161,731.15. (USDC, Northern District of California, Consolidated Cases Nos. C84-1100 MHP, C84-7089 MHP). (Also see Files 45-95-2 and 45-96-26). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-050. [Wage Freeze Litigation, Locals 3 and 718] Ordinance authorizing settlement of the 1993-94 and 1994-95 wage freeze litigation: Operating Engineers, Local 3, et al. v. City and County of San Francisco, and Local 718, et al. v. City and County of San Francisco, by payment of $74,406. (Superior Court Case No. 953-407 and Superior Court Case No. 962-366 respectively). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-96-010. [CCSF v. Giants of Tampa Bay Limited, et al.] Ordinance authorizing settlement of litigation of City and County of San Francisco against Giants of Tampa Bay Limited, et al. upon the receipt of $349,251. (Monterey Superior Court No. 94974). (Also see File 252-92-3). (City Attorney) Referred to Government Efficiency/Labor Committee with request it be considered at the August 20, 1996 meeting.

File 048-96-028. [Francie Moeller et al., v. CCSF] Ordinance authorizing settlement of the unlitigated claim of Francie Moeller v. City and County of San Francisco by payment of $345,700. (City Attorney) Referred to Government Efficiency/Labor Committee with request it be considered at the August 20, 1996 meeting.

File 093-96-027. [Settlement of Grievances, MOU] Ordinance authorizing the Human Resources Director with the approval of the City Attorney to settle grievances pursuant to valid Memoranda of Understanding between the City and employee representatives for amounts not to exceed $100,000 to be paid subject to certification of availability of funds by the Controller. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-96-028. [MOU, Building Inspectors, Amendment No. 1] Ordinance adopting and implementing the provisions of Amendment No. 1 to the Memorandum of Understanding between the Building Inspectors Association and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective two pay periods after approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 104-96-001. [Extending Time for Negotiations, Class 9163] Ordinance extending time pursuant to Charter Sections 11.100 and A8.404 for negotiations with the Transport Workers Union, Local 250-A representing 9136 Transit Operators. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 118-96-006. [Dog Licenses] Ordinance amending Health Code by amending Section 41.15 to increase fees for issuance of dog licenses; and amending Section 41.16 related to reductions in dog license fees. (Animal Care and Control Department) Referred to Budget Committee.

Resolutions Referred to Committee

File 014-96-001. [Garbage Liens] Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on September 3, 1996, at 3:00 p.m.

File 041-96-004. [Reinspection Fee Liens] Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on September 3, 1996 at 3:00 p.m.

File 048-96-025. [Settlement of Claim, Albert & Carol Tom] Resolution approving the settlement of the unlitigated claim of Albert and Carol Tom by payment of $13,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-026. [Settlement of Claim, Brian & Debra Shea] Resolution approving the settlement of the unlitigated claim of Brian and Debra Shea by payment of $15,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-027. [Settlement of Claim, Carlos Amezcua] Resolution approving the settlement of the unlitigated claim of Carlos Amezcua by payment of $9,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-96-008. [Appropriations Limit, Fiscal Year 1996-97] Resolution establishing the appropriations limit for fiscal year 1996-97 pursuant to California Constitution Article XIII B. (Controller) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Kaufman, Katz, Shelley, Teng that City Attorney draft an amendment to the City's catastrophic sick leave policy renaming it the T.J. Anthony Catastrophic Sick Leave Policy.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Dr. Francis J. Curry (Full Board)
Judith Weinstein Klein (Full Board)
Elizabeth Temko (Supervisors Bierman, Kaufman)

File 2-96-32

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:13 p.m. adjourned.

Jean Chew Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 9, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, August 19, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 19, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:13 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Leal, Teng - 4.

Quorum present.

Supervisors Alioto, Hsieh, Leal, Teng excused. (See infra.)

Supervisors Alioto, Hsieh, Leal, Teng Excused

The Acting Clerk stated Supervisors Alioto, Hsieh, Leal and Teng requested to be excused from attending today's meeting.

Supervisor Brown, seconded by Supervisor Katz, moved to excuse Supervisors Alioto, Hsieh, Leal and Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Brown, moved that the Journal of Proceedings for Monday, July 22, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

MOTION TO CANCEL REGULAR MEETING

Supervisor Kaufman, seconded by Supervisor Bierman, moved to cancel the August 26, 1996 regular meeting of the Board of Supervisors due to lack of a quorum.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Teng, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng- 4.

Clerk directed to notify all departments.

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Ballot Argument - Affordable Housing Bond]
Motion authorizing proponent's ballot argument in favor of Proposition A, a bond measure concerning affordable housing. (Supervisors Bierman, Teng)

File 60-96-6.1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

Adopted as Amended

[Ballot Argument - deYoung Museum]
Motion authorizing proponent's ballot argument in favor of Proposition B, a bond measure concerning the deYoung Museum. (Supervisor Shelley)

File 60-96-6.2

Supervisor Katz, seconded by Supervisor Kaufman, moved to amend ballot argument to delete the following words: Line 3, "museum"; line 12, "deYoung"; line 15, "of"; and line 21 to delete "to" replacing it with a dash "-".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Ballot Argument - Retirees COLA]
Motion authorizing proponent's ballot argument in favor of Proposition C, a charter amendment concerning supplemental cost of living benefit for retirees and their survivors (retiree COLA proposal). (Supervisors Bierman, Teng)

File 246-96-2

Supervisor Bierman, seconded by Supervisor Kaufman, moved to amend ballot argument line 6 to add the word "service" to read: "per <u>service</u> year".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

Adopted

[Ballot Argument - Firefighters Retirement Benefits]
Motion authorizing proponent's ballot argument in favor of Proposition D, a charter amendment relating to retirement benefits for firefighters. (Supervisor Shelley)

File 253-96-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Ballot Argument - Omnibus Charter Amendment]
Motion authorizing proponent's ballot argument in favor of Proposition E, a charter amendment concerning police and fire disciplinary procedures; collective bargaining of retirement and health benefits; abolishing and creating the Civil Service and Employee Relations Commission; and making managerial employees at-will, exempt positions with exceptions. (Supervisors Shelley, Bierman)

File 252-96-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Ballot Argument - Compensation, Supervisors]
Motion authorizing proponent's ballot argument in favor of Proposition F, a charter amendment concerning setting salary for members of the Board of Supervisors at $50,000 per year and making the members of the Board of Supervisors members of the Retirement System. (Supervisor Ammiano)

File 249-96-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Ballot Argument - District Election]
Motion authorizing proponent's ballot argument in favor of Proposition G, a charter amendment concerning election of 11 supervisors from 11 districts. (Supervisor Ammiano)

File 251-96-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Ballot Argument - At-large, Preference Election]
Motion authorizing proponent's ballot argument in favor of Proposition H, a charter amendment concerning at-large election of 11 supervisors using preference voting. (Supervisor Ammiano)

File 250-96-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Ballot Argument - Consent Decrees]
Motion authorizing proponent's ballot argument in favor of Proposition I, a charter amendment relating to hiring and promotion of uniformed members of San Francisco Police and Fire Departments (consent decrees). (Supervisor Shelley)

File 257-96-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Hetch Hetchy]
Ordinance appropriating and certifying $100,931, Hetch Hetchy, of Hetch Hetchy Operating Funds, for a capital improvement project (Moccasin Penstock Repair) to cover 10% overage per Charter Section 18.103 (Ordinance 7.203) for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-3, Ordinance No. 329-96

Finally passed.

[Appropriation, Department of Public Works]
Ordinance appropriating $12,040,000, Department of Public Works, of Clean Water Enterprise Revenue Bond and Operating Fund Revenue, to provide funding for Seacliff emergency work and the Twenty Fourth Avenue sewer and slope reconstruction project for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-4, Ordinance No. 330-96

Finally passed.

[Appropriation, Department of Public Works]
Ordinance appropriating $1,000,000, Department of Public Works, of 1988 Sewer Revenue Bond Proceeds for the Pier 98 Wetlands Enhancement Project for fiscal year 1996-97; placing $1,000,000 on reserve. (Controller)

File 101-96-6, Ordinance No. 332-96

Finally passed.

[Appropriation, Gay/Lesbian Cultural Center]
Ordinance rescinding $1,275,000, Mayor's Office of Community Development, from Convention Facilities Fund Capital Project and re-appropriating the funds to the Mayor's Office of Community Development for predevelopment, design and property purchase costs of the Gay/Lesbian Community Center for f/y 1996-97; placing $1,200,000 on reserve. (Mayor Willie L. Brown, Jr.; Supervisors Katz, Leal, Ammiano, Kaufman, Yaki, Hsieh, Shelley, Bierman, Alioto, Teng, Brown)

File 101-96-7, Ordinance No. 333-96

Finally passed.

Recommendation of Economic Vitality and Social Policy Committee

Finally Passed

[Gender Parity]
Ordinance amending Administrative Code, requiring the Mayor's Office of Children, Youth and Families to annually report funds allocated by all departments and agencies of the City and County and the amount of the actual services rendered by them to young males under 18 years of age young females under 18 years of age and to identify disparities in either the funding allocations and/or the amount of the actual services rendered. (Supervisors Kaufman, Leal, Alioto, Teng, Shelley, Katz, Bierman)

File 97-96-41, Ordinance No. 328-96

(Adds Section 3.17-3.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Changing Width of Sidewalk, Steuart Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1526 changing the official sidewalk width on the easterly side of Steuart Street between Mission Street and Howard Street, as shown on the Department of Public Works drawing labeled Q-20-437 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-6, Ordinance No. 324-96

Finally passed.

[Zoning Map Amendment, 1306 Portola Drive]
Ordinance amending Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County for property generally described as 1306 Portola Drive, Assessor's Block 2987, Lot 4, to remove a 15-foot legislated setback in an RH-1(D) (House, One-Family, Detached) District and adopting findings pursuant to Planning Code Section 101.1. (City Planning Department)

File 36-96-6, Ordinance No. 325-96

(June 6, 1996 - Approved by City Planning Commission Resolution No. 14129.)

(Exempt from environmental review as listed under Provision 5(a) of the State Guidelines for the implementation of the California Environmental Quality Act.)

Finally passed.

[Zoning Map Amendment, 901 Polk Street]
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County for property located at 901 Polk Street at O'Farrell from a NC-3 District to RC-4 and Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1. (Planning Department)

File 36-96-7, Ordinance No. 326-96

(Approved by City Planning Resolution No. 14125, adopted 6/6/96.)

Finally passed.

[Van Ness Special Use District]
Ordinance amending Planning Code by amending Sections 243 and 607.3 to allow for the replacement and/or restoration of signs on designated landmarks within the Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 36-96-7. (Planning Department)

File 81-96-2.1, Ordinance No. 327-96

(Approved by City Planning Resolution No. 14126, adopted 6/6/96.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

[Appropriation, Municipal Railway]
Ordinance rescinding $2,160,000, Municipal Railway, from a Transit Impact Development Fee project for land acquisition at Woods Maintenance Division and re-appropriating the funds to complete an exchange of Federal Section Nine (9) Capital Assistance Funds with the San Diego Metropolitan Transit Development Board which will allow the Municipal Railway to purchase equipment in fiscal year 1996-97. (Controller)

File 101-96-5, Ordinance No. 331-96

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

Recommendation of Housing and Land Use Committee

Adopted

[Mission Bay North Survey Area]
Resolution designating and describing the Mission Bay North Survey Area in accordance with the California Community Redevelopment Law. (Redevelopment Agency)

File 255-96-1, Resolution No. 742-96

(August 12, 1996 - Consideration continued to August 19, 1996.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Shelley, Yaki - 6.

Absent: Supervisors Alioto, Hsieh, Kaufman, Leal, Teng - 5.

NEW BUSINESS

Recommendations of Rules Committee

Passed for Second Reading

[Assessment Appeals Boards]
Ordinance amending Administrative Code, imposing notice, agenda, public comment, and meeting obligations on the Assessment Appeals Boards. (Sunshine Ordinance Task Force)

File 97-96-27, Ordinance No.

(Adds Section 2B.20.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Lead Hazard Reduction]
Ordinance amending Health Code, concerning San Francisco Lead Hazard Reduction Citizens Advisory Committee by reducing its membership from 23 to 21 members by deleting representatives from the Department of Public Health and the insurance industry. (Supervisors Shelley, Teng)

File 118-96-5, Ordinance No.

(Amends Section 1608.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

Adopted

[Appointments]
Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for two-year terms beginning July 1, 1996 and ending July 1, 1998. (Rules Committee)

File 92-96-30.3, Resolution No. 736-96

(Gilman Louie, vice Claire Issacs, Seat No. 23306;
Gaeta Bell, vice Katherine Webster, Seat No. 23309;
Ailene Herold-Coffino, vice herself, Seat No. 23311.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Appointments]
Resolution appointing members to the Lead Hazard Reduction Citizens Advisory Committee, terms expired, for four-year terms ending December 22, 1999; making finding waiving residency requirement. (Rules Committee)

File 92-96-39.2, Resolution No. 737-96

(James Hutchinson, vice himself, Seat No. 26702, must represent Department of Building Inspection or designee;
Doris Landry, vice herself, Seat No. 26705, must represent childcare;
Neil Gendel, vice himself, Seat No. 26708 must represent public interest organization;
Norman Fong, vice himself, Seat No. 26713, must represent tenant organization;
Mitch Fine, vice himself, Seat 26716, must be financial expert.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Appointment]
Motion approving Mayor's appointment of Cynthia Joe to serve as a member of the Planning Commission. (Rules Committee)

File 33-96-9

(July 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Appointment]
Motion approving Mayor's appointment of Eugene Friend to serve as a member of the Recreation and Parks Commission. (Rules Committee)

File 33-96-10

(July 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Appointment]
Motion approving Mayor's appointment of Reverend Yvette Flunder to serve as a member of the Recreation and Parks Commission. (Rules Committee)

File 33-96-11

(July 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Appointment]
Motion approving Mayor's appointment of Eleazar Aramburo to serve as a member of the Juvenile Probation Commission. (Rules Committee)

File 33-96-12

(August 5, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Appointment]
Motion approving Mayor's appointment of Damone Keith Hale to serve as a member of the Juvenile Probation Commission. (Rules Committee)

File 33-96-13

(August 5, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Appointment]
Motion approving Mayor's appointment of Brenda Jackson Drake to serve as a member of the Juvenile Probation Commission. (Rules Committee)

File 33-96-14

(August 5, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

[Appointment]
Motion approving Mayor's appointment of Gavin Newsom to serve as a member of the Parking and Traffic Commission. (Rules Committee)

File 33-96-15

(August 5, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Joseph Trevino, problems at Sunnyside Hotel at 135 6th Street;
Leonard Ross, gender parity;
Kathleen Gordon, police harassment;
San Francisco Women's Center;
Leboriae P. Smoore, police brutality;
Louise Vaughn, tenant rights;
James, evictions of black people;
Sylvia Williams, lack of affordable housing;
Man, selling of downtown property;
Sarah Demphy, public housing evictions;
Charles Jones, lack of affordable housing;
Rev. Spears, employment, violence and evictions in the black community.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Katz, on behalf of Supervisor Teng, requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[U.S.S. Missouri]
Resolution declaring the wishes of the City and County of San Francisco to permanently relocate the U.S.S. Missouri Battleship in San Francisco for establishment of a museum, memorial, and other functions at Piers 30-32 and urging the U.S. Department of Navy to select ((the)) San Francisco for berthing of the U.S.S. Missouri ((Operation Missouri's application to manage the project)). (Supervisors Teng, Kaufman, Katz, Shelley, Bierman)

File 13-96-35, Resolution No. 734-96

(August 12, 1996 - Introduced in Board for consideration on August 19, 1996.)

Supervisor Katz, seconded by Supervisor Kaufman, moved an amendment of the whole entitled, "Resolution declaring the wishes of the City and County of San Francisco to permanently relocate the U.S.S. Missouri Battleship in San Francisco for establishment of a museum, memorial, and other functions at Piers 30-32 and urging the U.S. Department of Navy to select San Francisco for berthing of the U.S.S. Missouri".

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Sunset District Neighborhood Coalition]
Resolution commending the Sunset District Neighborhood Coalition and declaring September 28, 1996 as "Sunset Community Festival Day" in San Francisco. (Supervisors Teng, Shelley, Kaufman, Bierman, Alioto, Katz, Yaki)

File 6-96-119, Resolution No. 731-96

(August 12, 1996 - Introduced in Board for consideration on August 19, 1996.)

Adopted.

In connection with the above item, Supervisors Katz, Yaki requested to be added as co-sponsors.

[State Legislation - SCR 62]
Resolution supporting Senate Concurrent Resolution 62 (Thompson) and urging the Mayor to direct the City's lobbyist to urge the State Legislature to support SCR 62 that requests the Attorney General to bring a civil action against all major tobacco companies seeking reparations for public monies expended in treating tobacco related diseases. (Supervisors Alioto, Bierman, Yaki)

File 12-96-42, Resolution No. 732-96

(August 12, 1996 - Introduced in Board for consideration on August 19, 1996.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[Federal Legislation - HR 3937]
Resolution opposing House Resolution 3937 (Coburn) regarding federal HIV prevention and testing mandates, and urging his Honor, the Mayor, to transmit copies of this resolution to Congresswoman Nancy Pelosi and Congressman Tom Lantos, Senator Dianne Feinstein and Senator Barbara Boxer and San

Francisco's federal legislative representative with the request that they take all actions necessary to achieve the objectives of this resolution. (Supervisors Alioto, Bierman, Katz)

File 13-96-34, Resolution No. 733-96

(August 12, 1996 - Introduced in Board for consideration on August 19, 1996.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[San Francisco Healthy City Designation]
Resolution supporting renewal of San Francisco's Healthy City Designation; supporting collaborative economic and community development strategies planning; and supporting continued access of undocumented women to prenatal care through presumptive Medicaid eligibility. (Supervisors Katz, Kaufman, Teng, Shelley, Bierman, Alioto, Yaki)

File 30-96-16, Resolution No. 735-96

(August 12, 1996 - Introduced in Board for consideration on August 19, 1996.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[High Speed Rail]
Resolution supporting the California Intercity High Speed Rail Commission in its efforts to make San Francisco the central terminus in the bay area region. (Supervisors Hsieh, Bierman, Kaufman, Katz)

File 171-96-1, Resolution No. 739-96

(August 12, 1996 - Introduced in Board for consideration on August 19, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz requested to be added as co-sponsors.

[Supporting the Peerless Clothing Workers]
Resolution supporting the Peerless Clothing Workers' fight for freedom of speech, freedom from sexual harassment and freedom from discrimination and urging Macy's and other retail outlets to refuse to sell clothing manufactured by Peerless Clothing until the ethnic discrimination and harassment, religious discrimination and other charges have been settled. (Supervisors Teng, Bierman)

File 176-96-6, Resolution No. 740-96

(August 12, 1996 - Introduced in Board for consideration on August 19, 1996.)

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.16

(August 12, 1996 - Introduced in Board for consideration on August 19, 1996.)

Adopted.

[Extending Time for Negotiations-Local 250-A]
Motion extending time pursuant to Charter Sections 11.100 and A8.404 for negotiations with the Transport Workers Union, Local 250-A representing 9163 Transit Operators. (Supervisor Shelley)

File 104-96-3

(August 12, 1996 - Introduced in Board for consideration on August 19, 1996.)

Adopted.

[Addendum No. 2, Tobacco Litigation Contingent Fee]
Resolution approving Second Contingency Fee Agreement and Addendum No. 2 to the June 6, 1996 contingency fee agreement in tobacco litigation. (Supervisor Yaki)

File 194-96-1.2, Resolution No. 741-96

(August 13, 1996 - Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.)

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Recreation and Park Department to retroactively apply for a grant in the amount of $65,000 from the National Recreational Trails Fund Act of 1991, fiscal year 1996/97, for renovation of trails on Strawberry Hill in Stow Lake, Golden Gate Park. (Supervisor Bierman)

File 150-96-1, Resolution No. 738-96

(August 14, 1996 - Referred to Board for Adoption Without Committee Reference Calendar August 19, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Shelley, Yaki - 7.

Absent: Supervisors Alioto, Hsieh, Leal, Teng - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Former Charter Provisions]
Ordinance amending Administrative Code by adding Sections 2A.111, 2A.130, 2A.131, 2A.132, 2A.133, 2A.134, 2A.150, 2A.155, 2A.156, 2A.160, 2A.161, to codify Sections 3.552, 3.591, 3.592, 3.596, 3.597, 3.598, 3.601, 3.621, 3.623, 3.641 and 3.642 of the 1932 Charter, respectively; making necessary changes to conform to the 1996 Charter; and repealing former Charter Sections 3.551, 3.560, 3.570, 3.571, 3.572, 3.590, 3.593, 3.594, 3.599, 3.622, 3.624, 3.631, 3.632, 3.634, and 3.640 relating to Recreation and Park Department executives, Library Commission, Social Services Commission, Director of Social Services, functions and duties of Department of Social Services, Public Utilities Commission, Public Utility Department executives, Public Utility Department legal proceedings, acquisition of public utilities, Fine Arts Museums executives and employees, Fine Arts Museums compliance with gifts and donations, Asian Art Museum powers and duties, Asian Art Museum executives, Asian Art Museum compliance with gifts and donations, and Academy of Sciences facilities respectively. Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered on August 27, 1996.

File 097-96-019.04.

Referred to Board

[S.S. Stephen Hopkins Day]
Resolution declaring September 27, 1996 as "S.S. Stephen Hopkins Day". Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 3, 1996.

File 006-96-120.

[Commending The Crisis Line for the Handicapped]
Resolution commending The Crisis Line for the Handicapped for nearly two decades of community service and volunteerism. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 3, 1996.

File 006-96-121.

[Commending Albert Pollack]
Resolution commending Albert Pollack for his eighty years of contributions to the City and County of San Francisco. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 3, 1996.

File 006-96-122.

Referred to Committee

[Annual Report]
Resolution adopting the recommendations of the Hazardous Materials Advisory Committee's Annual Report and encouraging the Health Commission and the Department of Public Health to implement the said recommendations as soon as possible. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee

File 030-96-017.

[Appointment]
Hearing to consider Mayor's appointment of James Morales to serve as a member of the San Francisco Redevelopment Agency. Mayor Willie L. Brown, Jr. presented. Referred to Rules Committee.

File 033-96-018.

Referred to Board

[Mayoral Appointees-Hazardous Materials Committee]
Resolution encouraging the Mayor of San Francisco to provide the Rules Committee with two mayoral nominees to the Hazardous Materials Advisory Committee in order to fill the open slots. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar September 3, 1996.

File 033-96-019.

[Remove Both Decks of Central Freeway]
Resolution urging CalTrans to remove the lower deck of the Central Freeway at the same time it is removing the upper deck in August of 1996. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 3, 1996.

File 085-96-001.01.

[Display of Children's Artwork]
Resolution urging the Arts Commission to submit a proposal to the Clerk of the Board to display artwork of children and youth on the hallway walls of that portion of the Veteran's Building used for offices by the Board of Supervisors. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar September 3, 1996.

File 197-96-005.

[Marijuana for Medicine]
Resolution urging the Police Commission and the District Attorney to reaffirm their commitment to make the arrest or prosecution of those involved in the possession or cultivation for personal use of marijuana for medicinal purposes, a low priority. Supervisors Ammiano, Bierman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar September 3, 1996.

File 207-96-009.

[State Board of Equalization Records]
Resolution requesting the State Board of Equalization (the "Board") to permit San Francisco's Assessor and Controller to examine Board records pertaining to the Board's allocation of the state assessed property tax roll. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar September 3, 1996.

File 224-96-001.

Requests for Hearings:

[Impact of Block Grants and Welfare Reform]
Hearing to consider the impact of Block Grants and Welfare "Reform" on San Francisco's low income children, youth and families, and to consider action that can be taken at the local level to protect the public safety net; to consider the findings and recommendations of a report prepared by Coleman Advocates for Children and Youth, in collaboration with over a dozen community groups including Family Rights and Dignity, California Food Policy Advocates, the Coalition for Immigrant and Refugee Rights, San Francisco State School of Social Work, San Francisco Children's Council, Health Initiatives for Youth, California Childcare Resource and Referral Network, Center on Juvenile and Criminal Justice, the

Women's Foundation, and Community United for Equality. Supervisors Bierman, Katz presented. Referred to Budget Committee with request it be considered at the September 11, 1996 meeting.

File 013-96-032.02.

[Direct Services Offered to People With AIDS]
Hearing to consider the quality and availability of direct services offered to people with AIDS and those impacted by the HIV-AIDS epidemic by publicly funded agencies and community based organizations such as the AIDS Foundation. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee with request it be considered at a special meeting outside of City Hall.

File 030-96-018.

[Cost of Cannibas Club Raid]
Hearing to consider the disclosure of all costs accrued to local government by the California Bureau of Narcotics Investigations raid of the state campaign headquarters of Prop. 215 and the Cannibas Buyers Club on August 4, 1996. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee

File 030-96-019.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar September 3, 1996.

File 030-96-001.17.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-96-008. [Changing Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulation the Width of Sidewalks by adding thereto Section No. 1528 changing the official sidewalk width at the intersection of Randolph Street and Arch Street, and at the intersection of Broad Street and Plymouth Avenue, collectively known as Muni Key Stop Phase "D", and as shown on the Department of Public Works drawings labeled Q-20-457 and Q-20-458 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 034-96-009. [Changing Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1529 changing the official sidewalk width on the east side of Bayshore Boulevard south of Jerrold Avenue, as shown on the Department of Public Works Drawing labeled Q-20-436 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 045-96-051. [Isabel Pineda v. CCSF, et al.] Ordinance authorizing settlement of litigation of Isabel Pineda against the City and County of San Francisco by payment of $7,281.00. (S.F. Municipal Court No. 077-831). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-052. [Robert Evans v. CCSF, et al.] Ordinance authorizing settlement of litigation of Robert Evans against the City and County of San Francisco by payment of $32,500. (U.S. District Court Case No. C95-4559 MHP). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 090-96-003. [Saint Paulus Lutheran Church and Parsonage] Ordinance rescinding the designation of Saint Paulus Lutheran Church and Parsonage as Landmark No. 119 pursuant to Article 10 of the City Planning Code. (Planning Department) (See File 90-80-1, Ordinance No. 406-80). (Planning Commission Resolution No. 14174 recommending recision of proposed landmark dated August 1, 1996.) (Landmarks Preservation Advisory Board Resolution No. No. 488 recommending recision of said landmark dated June 19, 1996.) Referred to Housing and Land Use Committee.

File 093-96-010.02. [MOU, Local 38, Amendment No. 2] Ordinance amending Ordinance No. 168-96 to correct clerical errors by adopting and implementing the provision of Amendment No. 2 to the Memorandum of Understanding between the Plumbing and Pipe Fitting Industry, Local 38 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 125-96-001. [Housing Code - Lead Hazards] Ordinance amending the definition of Nuisance in Housing Code Section 401, to include dwelling units subjected to hazard reduction orders or emergency orders under Sections 1628 and 1630 of the Health Code. (Building Inspection Commission) Referred to Housing and Land Use Committee.

File 125-96-002. [Housing Code - Assessment Liens] Ordinance amending Housing Code by amending Sections 204(f) and 302 to provide for collection of annual license fees for the periodic inspection of apartment houses and hotels on property tax bills. (Building Inspection Commission) Referred to Housing and Land Use Committee.

File 188-96-004. [Water Department Fees] Ordinance approving schedule of fees for short term uses of San Francisco Water Department lands, rights-of-way, and other real estate properties. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board September 9, 1996.

Resolutions Referred to Committee

File 036-96-004.01. [Finding, 5545 Third Street Affordable Housing] Resolution adopting Final Negative Declaration, finding and determining that the establishment of the Third Street and Armstrong Avenue Affordable Housing Special Use District, and the reclassification of the height and bulk district from 40-X to 40-65-J, affecting the property at 5545 Third Street, Assessor's Block 5419, Lot 6, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 36-96-4. (Planning Department). (Planning Commission Motion 14180 approving Conditional Use Authorization adopted August 8, 1996.) Referred to Housing and Land Use Committee.

File 147-96-004. [State Grant - Exploring African-American Culture] Resolution authorizing the City Librarian to accept and expend Library Services and Construction Act funds from the California State Library in the amount of $5,000.00. This "Exploring African-American Culture" materials grant has been awarded to the Bayview/Waden Branch Library. There are no direct or indirect costs contained in the budget of this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

File 172-96-028. [Indemnification Agreement, DPH/SFCCD] Resolution authorizing the Director of Health to execute an agreement, including indemnification, with the San Francisco Community College District, for the WIC Program to provide special services and advice to the San Francisco Community College District. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-96-029. [Business Recovery Services Contract] Resolution approving the limitation of liability in agreement for business recovery services with International Business Machines Corporation. (Controller) Referred to Government Efficiency/Labor Committee.

File 199-96-003. [Transfer of 1991 Ford Van] Resolution authorizing the City and County of San Francisco to transfer title of a 1991 Ford Van (equipment number 169505) to Mount St. Joseph-St. Elizabeth. (Department of Human Services) Referred to Budget Committee.

File 271-96-002. [Fulton Street Mall Design Guidelines] Resolution approving a text amendment to the Civic Center Area Plan of the San Francisco General Plan to reference the Fulton Street Mall Design Guidelines adopted by the Planning Commission, and incorporating by reference findings pursuant to the California Environmental Quality Act relating to the Fulton Street Mall, as analyzed in the San Francisco Main Library Final Environmental Impact Report, Case No. 90.808E and re-evaluated in the Asian Art Museum Project EIR Addendum to that Environmental Impact dated May 1, 1996. (Planning Department) (Planning Commission Resolution No. 14165 adopting Fulton Street Mall Design Guidelines, dated July 25, 1996). Referred to Housing and Land Use Committee.

There being no objection, the Board directed the Clerk to comply with the following requests:

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Daniel O'Sullivan (Supervisor Bierman)
John Johnston (By the entire Board)
Rosario Singson Alonzo (By the entire Board)

File 2-96-33

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:35 p.m. adjourned.

Jean Chew Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 16, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors